

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

AMGEN INC.,)	
)	
Plaintiff,)	
)	Civil Action No.: 1:05-cv-12237 WGY
v.)	
)	
F. HOFFMANN-LA ROCHE LTD, a)	
Swiss Company, ROCHE DIAGNOSTICS)	
GMBH, a German Company, and)	
HOFFMANN LA ROCHE INC., a New)	
Jersey Corporation,)	
)	
Defendants.)	

**DECLARATION OF WILLIAM G. GAEDE, III, IN SUPPORT OF PLAINTIFF'S
OPPOSITION TO DEFENDANTS' MOTION TO STRIKE INFRINGEMENT
ALLEGATIONS IN AMGEN'S EXPERT REPORTS
AND TO PRECLUDE TESTIMONY**

I, William G. Gaede, III, declare as follows:

1. I am a partner with McDermott Will & Emery LLP and counsel for Amgen, Inc. in the above-captioned matter.

2. I am submitting this declaration in support of Amgen Inc.'s Opposition to Defendants' Motion To Strike Infringement Allegations in Amgen's Expert Reports and To Preclude Testimony.

3. I have knowledge of the following, and if called as a witness, could and would testify competently to the contents herein.

4. Attached as Exhibit 1 is a true and correct chart showing the documents cited in the paragraphs of Amgen's experts' reports that Roche seeks to strike, the report paragraphs where the documents are cited, and the production status/Bates numbers of the documents.

5. Attached as Exhibit 2 is a true and correct copy of the pages containing the paragraphs that Roche seeks to strike from the First Expert Report of Vladimir P. Torchilin, Ph.D., D.Sc, dated April 6, 2007. Roche Confidential Information has been redacted.

6. Attached as Exhibit 3 is a true and correct copy of the pages containing paragraphs that Roche seeks to strike from the First Expert Report of Nandini Katre, Ph.D., dated April 6, 2007. Roche Confidential Information has been redacted.

7. Attached as Exhibit 4 is a true and correct copy of the pages containing paragraphs that Roche seeks to strike from the Expert Report of Harvey F. Lodish, Ph.D. Regarding Infringement, dated April 6, 2007. Roche Confidential Information has been redacted.

8. Attached as Exhibit 5 is a true and correct copy of Paragraphs 25-47 of the April 6, 2007 Expert Report of Dr. Robert Langer, Roche's expert, that discuss pegylation in general and pegylation of non-EPO compounds.

9. Attached as Exhibit 6 is a true and correct copy of selected pages from Plaintiff's Supplemental Response to Defendants' First Set of Interrogatories (Nos. 1-12), dated February 10, 2007.

I declare, under penalty of perjury, under the laws of the United States, that the foregoing is true and correct and that this Declaration was completed at Palo Alto, California this 15th day of May 2007.

/s/ William G. Gaede, III

William G. Gaede, III

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the Electronic Case Filing (ECF) system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on the above date.

/s/ Michael R. Gottfried

Michael R. Gottfried