

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

AMGEN INC.,)	
)	
)	
Plaintiff,)	
)	Civil Action No.: 05-12237 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 MARIO MOORE IN SUPPORT OF PLAINTIFF AMGEN INC.’S
OPPOSITION TO ROCHE’S MOTION FOR LEAVE TO AMEND ITS ANSWER**

I, Mario Moore, declare as follows:

1. I am an attorney admitted to practice law before all the Courts of the State of California and before this Court (*pro hac vice*). I am an attorney of the law firm of Day Casebeer Madrid & Batchelder LLP, counsel for Plaintiff, Amgen, Inc. in this matter.
2. I make this declaration of my own personal knowledge. If called to testify with respect to the truth of the matters stated herein, I could and would do so competently.
3. Attached hereto as Exhibit 1 is a true and correct copy of Defendants' Second Supplemental Responses and Objections to Amgen Inc.'s Third Set of Interrogatories to Defendants (No.26), served on May 1, 2007.
4. Attached hereto as Exhibit 2 is a true and correct copy of Roche's Supplemental Expert Report of Michael Sofocleous, dated May 1, 2007.
5. Attached hereto as Exhibit 3 is a true and correct copy of Defendants' Privilege Log, Volume 9, pages 1, 28, 67, and 238.
6. Attached hereto as Exhibit 4 is a true and correct copy of excerpts of Defendants' Privilege Log, Volume 5, pages 1, 10, 160, and 3527.
7. Attached hereto as Exhibit 5 is a true and correct copy of a Letter from M. Pomerantz to M. Moore, dated April 27, 2007.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signed this 6th day of June, 2007

/s/ Mario Moore

Mario Moore