

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMGEN, INC.
Plaintiff,
v.
F. HOFFMAN-LA ROCHE LTD., a Swiss
Company, ROCHE DIAGNOSTICS GmbH, a
German Company, and HOFFMAN-LA ROCHE
INC., a New Jersey Corporation
Defendants.
C.A. No. 05-12237-WGY

DECLARATION OF DANA M. MCSHERRY IN SUPPORT
OF AMGEN'S MOTION TO EXCLUDE THE EXPERT
TESTIMONY OF LAUREN J. STIROH

I, Dana M. McSherry, hereby declare under penalty of perjury that I am an attorney
admitted to practice in the Commonwealth of Massachusetts, and am associated with the law
firm of McDermott Will & Emery LLP, counsel for Plaintiff Amgen, Inc. in the above-captioned
case. I submit this affidavit in support of Amgen's Motion to Exclude the Expert Testimony of
Lauren J. Stiroh. Attached hereto are true and correct copies of exhibits cited in the
Memorandum of Law in Support of Amgen's Motion to Exclude the Expert Testimony of
Lauren J. Stiroh.

- 1. Exhibit 1 hereto is a true and correct copy of excerpts from the Expert Report of
David J. Teece, Ph.D. (Amgen's economics expert) in the above-captioned case.
2. Exhibit 2 hereto is a true and correct copy of excerpts from the Report of Lauren
J. Stiroh (Roche's damages expert) in the above-captioned case.

3. Exhibit 3 hereto is a true and correct copy of excerpts from the deposition of Lauren J. Stiroh (Roche's damages expert) in the above-captioned case.

4. Exhibit 4 hereto is a true and correct copy of a Roche press release entitled "Roche Receives Approvable Letter for Mircera in the United States" (May 18, 2007).

5. Exhibit 5 hereto is a true and correct copy of a revision to the Report of Lauren J. Stiroh and was marked as Exhibit 2 at the deposition of Lauren J. Stiroh.

6. Exhibit 6 hereto is a true and correct copy of excerpts from the deposition of Chrys Kokino (Roche's Vice President of Anemia Products) in the above-captioned case.

Dated: June 28, 2007

/s/ Dana M. McSherry  
Dana M. McSherry

**CERTIFICATE OF SERVICE**

I hereby certify that this document, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of electronic filing and paper copies will be sent to those indicated as non-registered participants.

*/s/ Michael R. Gottfried* \_\_\_\_\_

Michael R. Gottfried