

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMGEN INC.,

Plaintiff and Counterclaim-Defendant,

v.

F. HOFFMANN-LA ROCHE LTD,
ROCHE DIAGNOSTICS GmbH,
and HOFFMANN-LA ROCHE INC.,

Defendants and Counterclaim-Plaintiffs.

Civil Action No. 05-12237 WGY

**DECLARATION OF PATRICIA ROCHA-TRAMALONI, ESQ. IN SUPPORT OF
DEFENDANTS' OPPOSITION TO AMGEN'S MOTION FOR SUMMARY JUDGMENT**

I, Patricia Rocha-Tramaloni, Esq., declare as follows:

1. I am Senior Counsel and Managing Attorney in the Patent Law department at defendant Hoffmann-La Roche Inc. ("Roche"). I make this declaration in support of Roche's Opposition to Amgen's Motion for Summary Judgment on Roche's Antitrust and State Law Counterclaims.

2. In my position as Senior Counsel and Managing Attorney, I supervise defendants' defense of the patent infringement litigation brought against it by Amgen, Inc. ("Amgen"), in this action. I also supervise the payment of legal fees and expenses for defense of the litigation. The outside counsel that has represented defendants in this action are Kaye Scholer LLP ("Kaye Scholer"), and Bromberg & Sunstein LLP ("Bromberg"). Outside litigation support services for defense of this litigation have been provided by SPI Litigation Direct LLC ("SPT").

3. Roche has paid \$5,561,812.00 for legal fees and other expenses of Kaye Scholer, Bromberg and SPI incurred as of September 30, 2006 solely in connection with its defense of this action. Attached hereto as Exhibit A is a summary of the \$5,561,812.00 in litigation expenses incurred in this action from April 2006 to September 2006 that Roche has paid. Attached hereto as Exhibit B are true and correct copies of the bills for legal expenses and other costs included in the summary attached as Exhibit A and that Roche paid.

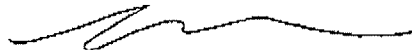
4. The \$5,561,812.00 in legal fees and other expenses that Roche has paid in connection with its defense of the above-described patent infringement suits does not include any payment for any legal fees or expenses in connection with the Counts I-IX of the Counterclaims asserted against Amgen by Roche in this action, or legal fees or other expenses in connection with the proceeding before the United States International Trade Commission ("ITC") brought by Amgen against defendants entitled *In re: Certain Products and Pharmaceutical Compositions Containing Recombinant Erythropoietin*, Inv. No. 337-TA-568, or appeals of that ITC action.

5. Defendants have continued to incur and pay for legal fees and other expenses in connection with its defense of this action after September 30, 2006, which remain to be calculated.

6. The principal place of business of Hoffmann-La Roche Inc. is in Nutley, New Jersey.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 25th day of June 2007 at Nutley, New Jersey



Patricia Rocha-Tramaloni

EXHIBIT A

Litigation Expenses from Amgen's Massachusetts District Court Litigation, April 2006 to September 2006

FIRM	INVOICE NO.	WORK PERIOD (END DATE)	INVOICE DATE	TIME CHARGES (LESS DISCOUNT)	DISBURSEMENTS	TOTAL DUE
BROMBERG & SUNSTEIN LLP	272580	4/30/2006	5/2/2006	9,886.00	118.25	10,304.25
	272977	5/31/2006	6/5/2006	26,430.00	346.02	26,776.02
	272977*	6/30/2006	7/13/2006	3,220.00	894.17	3,614.17
	273657	6/30/2006	7/13/2006	9,950.00	628.58	10,478.58
	274094	8/31/2006	9/7/2006	770.00	377.07	1,147.07
	274485	8/31/2006	10/6/2006	3,517.50	114.40	3,531.90
	487403	4/30/2006	6/19/2006	30,916.05	2,156.77	33,072.82
KAYE SCHOLER LLP	489147	5/31/2006	6/21/2006	111,794.22	4,246.04	116,240.26
	492061	6/30/2006	7/31/2006	207,576.28	28,804.19	236,380.48
	495155	7/31/2006	8/17/2006	933,233.04	344,890.30	1,278,123.34
	499174	8/31/2006	9/30/2006	876,201.67	828,863.02	1,705,064.69
	500904	9/30/2006	10/19/2006	936,273.77	357,442.79	1,293,416.56
	03-1004	4/30/2006	4/30/2006	n.a.	n.a.	150.00
	03-1063	5/31/2006	5/31/2006	n.a.	n.a.	101,746.32
SPI LITIGATION DIRECT LLC	03-1101	6/30/2006	7/14/2006	n.a.	n.a.	160,648.94
	03-1102	7/31/2006	7/31/2006	n.a.	n.a.	257,327.12
	03-1135	8/31/2006	8/31/2006	n.a.	n.a.	231,465.28
	03-1168	9/30/2006	10/19/2006	n.a.	n.a.	91,052.61
	03-1167	8/31/2006	10/19/2006	n.a.	n.a.	1,272.05
	TOTAL EXPENSES					\$5,561,812.44

Note: All figures are in U.S. dollars.
 * Invoice no. as in original.
 n.a. Not applicable.