

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
AMGEN INC.,)	
)	
Plaintiff,)	
)	
vs.)	
)	CIVIL ACTION No.: 05-CV-12237WGY
F. HOFFMANN-LA ROCHE LTD,)	
ROCHE DIAGNOSTICS GMBH,)	
AND HOFFMANN-LA ROCHE INC.,)	
)	
Defendants)	
_____)	

**REPLY DECLARATION OF HUBERT CASTERMANS IN FURTHER SUPPORT OF
DEFENDANT ROCHE DIAGNOSTICS GMBH'S MOTION TO DISMISS**

I, Hubert Castermans, hereby declare under penalty of perjury that:

1. I am Head of Controlling, Pharma, of Roche Diagnostics GmbH, in Mannheim, Germany.
2. I make this reply declaration in further support of Defendant Roche Diagnostics GmbH's Motion To Dismiss, dated April 11, 2006.
3. In 1985, Roche Diagnostics GmbH's predecessor company, Boehringer Mannheim GmbH, entered into a License Agreement with Genetics Institute regarding the research and development of EPO.
4. On information and belief, in 1996, Genetics Institute became a wholly owned subsidiary of American Home Products, which changed its corporate name to Wyeth in 2002.

5. Since 2003, Roche Diagnostics GmbH has been paying royalties on the License Agreement to Wyeth in Paoli, Pennsylvania. Prior to that time, royalties were paid to Genetics Institute in Massachusetts.

Mannheim, Germany

Dated: May 2, 2006

/s/ Hubert Castermans
Hubert Castermans

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 (NEF) and paper copies will be sent to those indicated as non registered participants on the above date.

/s/ Julia Huston

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