

# **EXHIBIT 56**

2 UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

3 -----x

AMGEN, INC.,

4

Plaintiff,

5

vs.

Case No.

6

05-12237

WGY

7 F. HOFFMAN-LA ROCHE LTD., a  
Swiss Company, ROCHE

8 DIAGNOSTICS GmbH, a German  
Company, and HOFFMAN-LA

9 ROCHE, INC., a New Jersey

10 Corporation,

11

Defendants.

-----x

12

May 31, 2007

13

9:11 a.m.

14

15 HIGHLY CONFIDENTIAL Videotaped  
16 Deposition of LAUREN J. STIROH, Ph.D.,  
17 taken by Plaintiff, pursuant to court  
18 scheduling order, held at the offices of  
19 McDermott Will & Emery, 340 Madison  
20 Avenue, New York, New York, before  
21 Amy E. Sikora, CRR, CSR, RPR, Certified  
22 Realtime Reporter, Certified Shorthand  
23 Reporter, Registered Professional  
24 Reporter, and Notary Public within and  
25 for the State of New York.

1 L.J. Stiroh - HIGHLY CONFIDENTIAL  
2 from lost LDO and hospital sales?

3 A. I actually had always  
4 thought that the trial date would be  
5 something in flux, and that's not  
6 because anyone told me that but because  
7 every case that I've ever worked on the  
8 trial date is never on the date where I  
9 first learn it. And so I had always  
10 assumed that the timing that I have  
11 depends on what we learn about when  
12 these events actually transpire.

13 Q. Okay. But for purposes of  
14 your opinion, if the trial date didn't  
15 change, it would have been your view,  
16 from the time you read that press  
17 release until prior to your conversation  
18 with the Roche lawyers yesterday, that  
19 there were not LDO or hospital lost sale  
20 damages?

21 A. If the conduct changed. Is  
22 that part of your hypothetical as well,  
23 or just the trial date because of my  
24 assumption in this report?

25 Q. All the assumptions you had

1 L.J. Stiroh - HIGHLY CONFIDENTIAL  
2 in your report. That the trial date was  
3 in September; that the conduct ended at  
4 the end of the trial. If all of your  
5 assumptions held true, then between  
6 May 18 and just prior to your  
7 conversations yesterday, you were of the  
8 opinion that there were no lost sales in  
9 the hospital or LDO channels? Just yes  
10 or no, please.

11 A. I think that's right, yes.

12 Q. Thank you.

13 I want to change subjects  
14 and now go to the black box. Are you  
15 familiar with the issue of the black box  
16 warning issued for ESA's?

17 A. Yes.

18 Q. You even footnote it in your  
19 report; is that correct?

20 A. That's correct.

21 Q. Okay. Do you assume that  
22 the Roche product will have the same  
23 black box warning as other ESA's?

24 A. I've been given to  
25 understand that it would, yes.