

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

AMGEN INC.,

Plaintiff,

v.

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

Defendants.

Civil Action No. 05 CV 12237 WGY

**DECLARATION OF DR. SVEN-MICHAEL CORDS IN SUPPORT OF
ROCHE'S OPPOSITION TO AMGEN'S MOTION TO STRIKE THE DECLARATION
OF SVEN-MICHAEL CORDS**

I, Sven-Michael Cords, hereby declare under penalty of perjury that:

1. I am currently Project Manager and Study Director at Bioassay GmbH in Gerlingen, Germany. I have worked for Bioassay GmbH in this position since 2006. I am responsible for the supervision and conduction of bioassays for pharmaceutical quality control in accordance with the European Pharmacopoeia and the supervision of bioassay development and business development. The Bioassay GmbH labs are located in Ludwigshafen and in Heidelberg, both of which have animal testing facilities. Currently, ten scientists are employed at Bioassay GmbH laboratories.

2. I make this declaration based upon my own personal knowledge and company information.

3. I performed certain tests at the request of counsel for Defendants, and filed an Expert Report describing those tests, and a Declaration relating to those tests in support of Roche's Opposition Motion to Amgen's Motion for Summary Judgment of Infringement of '422 Claim 1, '933 Claim 4 and '698 Claim 6 (hereafter "Roche's Opposition Motion"). These tests were performed under contract in Ludwigshafen, Germany, at the labs of Bioassay Labor für biologische Analytik GmbH ("Bioassay GmbH"). All tests were performed under my direct supervision.

4. I was deposed on May 30, 2007 in connection with the tests I performed for the present litigation.

5. I was not asked at my deposition whether I relied on or referred to the redacted portion of what was marked as Cords Exhibit 11 (Docket No. 683, Ex. E) in conducting my experiment.

6. I did not rely on or refer to the redacted portion of Cords Exhibit 11 in conducting my experiment.

7. On June 29, 2007, I submitted a declaration in support of Roche's Opposition to Amgen's Motion for Summary Judgment of Infringement of '422 Claim 1, '933 Claim 4, and '698 Claim 6 (Docket No. 600).

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

Executed on: July 13, 2007

/s/ Sven Michael Cords
Dr. med. vet. Sven-Michael Cords, MBA

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 July 16, 2007.

/s/ Julia Huston
Julia Huston

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