

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMGEN, INC.
Plaintiff-Counterclaim-Defendant,
v.
F. HOFFMANN-LA ROCHE LTD, a Swiss
Company, ROCHE DIAGNOSTICS GmbH, a
German Company, and HOFFMANN-LA ROCHE
INC., a New Jersey Corporation
Defendants-Counterclaim-Plaintiffs.
C.A. No. 05-12337-WGY

Declaration of Manvin S. Mayell in Support of Roche’s Motion for Leave
to File Under Seal Defendants’ Trade Secret Contained in Amgen Inc.’s
Reply Memorandum of Law in Support of Amgen’s Motion for Summary
Judgment on Roche’s Antitrust and State Law Counterclaims

I, Manvin S. Mayell, hereby declare that:

1. I am an attorney admitted to practice in this Court pro hac vice and am of counsel
at the law firm of Kaye Scholer LLP, which represents defendants F. Hoffmann-La Roche Ltd,
Roche Diagnostics GmbH, and Hoffmann-La Roche Inc. (“Roche”) in the instant litigation. I am
submitting this declaration in support of Roche’s Motion for Leave to File Under Seal
Defendants’ Trade Secret Contained in Amgen Inc.’s Reply Memorandum of Law in Support of
Amgen’s Motion for Summary Judgment on Roche’s Antitrust and State Law Counterclaims.

2. Attached hereto as Exhibit 1 is a true and correct copy of the Declaration of
Sonders Beimfohr (the “Beimfohr Declaration”), which was previously filed on June 28, 2007 in
support of Roche’s Motion for Leave to File Under Seal Documents Containing Defendants’

Trade Secrets Submitted in Connection with Amgen's Motion for Summary Judgment on Roche's Antitrust and State Law Counterclaims and Roche's Opposition Thereto. I am attaching the Beimfohr Declaration for the Court's convenience in considering the present motion.

3. The reasons stated in the Beimfohr Declaration for protecting the material at issue in that declaration apply equally to Roche's preliminary launch price for Mircera® (the "Preliminary Launch Price"), which is the subject of the present motion. Mr. Beimfohr has authorized re-submission of his declaration in support of the present motion.

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

Executed this 16th day of July 2007 at New York, N.Y.

/s/ Manvin S. Mayell  
Manvin S. Mayell