

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMGEN INC.,

Plaintiff,

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.

Civil Action No.: 1:05-cv-12237 WGY

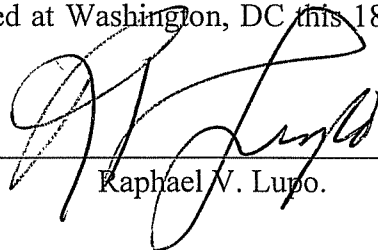
DECLARATION OF RAPHAEL V. LUPO IN SUPPORT OF
APPLICATION FOR ADMISSION *PRO HAC VICE*

I, Raphael V. Lupo, declare as follows:

1. I am a partner in the law firm of McDermott Will & Emery LLP. My practice area is intellectual property.
2. I am informed that Plaintiff Amgen has informed Defendants of its intent to file a motion for admission *pro hac vice* for me.
3. I have also reviewed the waiver letters of December 22, 2004, signed by representatives of Hoffman-La Roche, Roche Holdings Inc., and Roche Finance USA Inc.
4. With respect to paragraph 2 of the said waiver letters, I understand and will participate in the "ethical wall between those attorneys providing tax, regulatory, employment or other advice to Roche" I have, and will, abide by said "ethical wall" requirements.
5. I further state that I have not performed work for Roche, and do not perform legal duties with respect to the tax, regulatory, or employment practices of this firm, as mentioned in said waiver letters. As such, I am not in possession of, nor have I had exposure to, any confidential information of Roche in connection with McDermott Will & Emery's representation

of Roche on such matters, particularly since joining McDermott Will & Emery LLP on April 1, 1996.

I declare, under penalty of perjury, under the laws of the United States, that the foregoing is true and correct and that this Declaration was completed at Washington, DC this 18th day of July 2007.



Raphael V. Lupo.

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the Electronic Case Filing (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/ Michael R. Gottfried

Michael R. Gottfried