

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMGEN INC.,)
)
 Plaintiff,)
)
 vs.)
)
 F. HOFFMANN-LA ROCHE LTD,)
 ROCHE DIAGNOSTICS GMBH,)
 AND HOFFMANN-LA ROCHE INC.,)
)
 Defendants)

CIVIL ACTION No.: 05-CV-12237WGY

**DECLARATION OF KIMBERLY J. SELUGA IN SUPPORT OF DEFENDANTS’
MOTION *IN LIMINE* TO PRECLUDE PLAINTIFF AMGEN INC. FROM ASSERTING
OUTCOMES OF PRIOR LITIGATIONS CONCERNING THE VALIDITY AND
INFRINGEMENT OF CERTAIN CLAIMS OF THE PATENTS-IN-SUIT AS EVIDENCE
AND ATTORNEY ARGUMENT**

I, Kimberly J. Seluga, hereby declare under penalty of perjury that:

1. I am an attorney at the law firm of Bromberg & Sunstein LLP and am admitted to the Bar of the Commonwealth of Massachusetts. I am counsel for Defendants in the above-referenced case.

2. I make this declaration in support of Defendants’ Motion *In Limine* To Preclude Plaintiff Amgen Inc. From Asserting Outcomes of Prior Litigations Concerning the Validity and Infringement of Certain Claims of the Patents-In-Suit As Evidence and Attorney Argument, dated August 10, 2007.

3. Attached hereto as Exhibit A is a true and correct copy of excerpts from the preliminary exhibit list Amgen served on Roche.

4. Attached hereto as Exhibit B is a true and correct excerpt from the Rebuttal Expert Report of Harvey F. Lodish, Ph.D. dated May 11, 2007.

Dated: August 10, 2007

Respectfully submitted,

/s/ Kimberly J. Seluga
Kimberly J. Seluga

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/ Kimberly J. Seluga
Kimberly J. Seluga

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