

UNITED STATES DISTRICT COURT
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-12237WGY

**VOIR DIRE QUESTIONS FOR JURY
[PROPOSED BY DEFENDANT ROCHE]**

Defendants F. Hoffmann-La Roche Ltd, Roche Diagnostics GmbH, and Hoffmann-La Roche Inc. (collectively “Roche”) respectfully request that the following questions be asked of the potential jurors as a group during live *voir dire*:

1. Have you, a relative, close friend, or any member of your household ever been employed by:
 - a. Amgen;
 - b. F. Hoffmann-La Roche Ltd, Roche Diagnostics or Hoffmann-La Roche Inc. or any other Hoffmann-La Roche entities (which I will refer to together as “Roche”);
 - or
 - c. any other pharmaceutical company?

2. Have you, a relative, close friend, or any member of your household ever had a financial interest in:
 - a. Amgen;

- b. Roche; or
 - c. any other pharmaceutical company?
3. Have you recently heard or seen an advertisement or commercial for either:
 - a. Amgen; or
 - b. Roche;
 - c. Did that advertisement or commercial leave an impression with you about the company?
4. Have you heard anything about this case prior to today?
5. Do you generally have an unfavorable opinion of the business practices of or products made or sold by pharmaceutical companies?
6. Do you have any negative feelings about new inventions or patents that would make it difficult for you to evaluate this case fairly?
7. Would you be uncomfortable hearing a case that may involve extended testimony about scientific matters concerning complex gene sequencing?
8. Have you ever been a plaintiff or defendant in a civil lawsuit?
9. Have you ever been an inventor on or otherwise had a financial interest in a patent?
10. Have you, a relative, close friend, or any member of your household ever been treated for anemia?
11. Do you know any of the witnesses who are likely to be called in this case?¹
12. Do you know any of the attorneys representing the parties in this case?
13. Is there anything that would prevent you from being fair and impartial when considering the evidence in this case?

¹ The parties' lists of expected trial witnesses are attached hereto as Exhibit A.

14. Is there any other information about yourself that you believe it is important for the parties or the Court to know in considering you for jury service in this case?

If any potential juror answers one or more of these questions in the affirmative, it is requested that he or she be called to the sidebar to explain the basis for the affirmative answer, and be asked follow up questions at the discretion of the Court.

Dated: August 31, 2007
Boston, Massachusetts

Respectfully submitted,

F. Hoffmann-La Roche Ltd, Roche
Diagnostics GmbH, and Hoffmann-La
Roche Inc.

By their Attorneys,

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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/ Julia Huston

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