

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

AMGEN INC.,

Plaintiff,

v.

F. HOFFMANN-LAROCHE
LTD., a Swiss Company, ROCHE
DIAGNOSTICS GmbH, a German
Company and HOFFMANN LAROCHE
INC., a New Jersey Corporation,

Defendants.

Civil Action No.: 05-12237 WGY

**DECLARATION OF AARON R. HAND IN SUPPORT OF
AMGEN INC.'S OPPOSITION TO DEFENDANTS' MOTION *IN LIMINE* TO
PRECLUDE PLAINTIFF FROM OBJECTING TO DEPOSITION DESIGNATIONS IN
LIEU OF LIVE TESTIMONY**

I, Aaron R. Hand, declare as follows:

1. I am an attorney at the law firm of Day Casebeer Madrid & Batchelder LLP, counsel for plaintiff Amgen Inc. I am admitted to practice law before this Court (*pro hac vice*) and all of the Courts of the State of California.

2. I make this declaration of my own personal knowledge. If called to testify as to the truth of the matters stated herein, I could and would testify competently.

3. Attached hereto as Exhibit 1 is a true and correct copy of a letter from Renee DuBord Brown to Thomas F. Fleming, dated July 30, 2007.

4. Attached hereto as Exhibit 2 is a true and correct copy of a letter from Renee DuBord Brown to Thomas F. Fleming, dated August 2, 2007.

5. Attached hereto as Exhibit 3 is a true and correct copy of is a true and correct copy of a letter from Renee DuBord Brown to Thomas F. Fleming, dated July 30, 2007

6. Attached hereto as Exhibit 4 is a true and correct copy of an E-mail from Thomas F. Fleming to Renee DuBord Brown, dated August 15, 2007.

7. Attached hereto as Exhibit 5 is a true and correct copy of a letter from Renee DuBord Brown to Thomas F. Fleming, dated August 16, 2007.

8. Attached hereto as Exhibit 6 is a true and correct copy of a letter from Thomas F. Fleming to Deborah E. Fishman, dated August 27, 2007.

9. Attached hereto as Exhibit 7 is a true and correct copy of a letter from Thomas F. Fleming to Renee DuBord Brown, dated August 27, 2007.

10. Attached hereto as Exhibit 8 is a true and correct copy of a letter from Renee DuBord Brown to Thomas F. Fleming, dated August 27, 2007.

11. Attached hereto as Exhibit 9 is a true and correct copy of a letter from Renee DuBord Brown to Thomas F. Fleming, dated August 28, 2007.

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

Signed this 3rd day of September, 2007.

By: /s/ Aaron R. Hand
Aaron R. Hand

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