

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

AMGEN, INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05 CV 12237 WGY
)	
F. HOFFMANN-LAROCHE LTD.,)	
a Swiss Company, ROCHE DIAGNOSTICS)	
GMBH, a German Company, and)	
HOFFMANN LAROCHE INC., a New)	
Jersey Corporation,)	
)	
Defendants.)	

**PLAINTIFF AMGEN INC.'S MOTION FOR LEAVE TO REPLY IN FURTHER
SUPPORT OF ITS MOTION *IN LIMINE* NO. 17:
TO EXCLUDE ROCHE FROM PRESENTING EVIDENCE TO CHALLENGE THE
NON-OBVIOUSNESS OF THE DNA SEQUENCE ENCODING FOR HUMAN
ERYTHROPOIETIN IN 1983**

Plaintiff Amgen Inc. respectfully moves for leave to reply to Defendants' opposition to Plaintiff's Motion in Limine No. 17: To Exclude Roche from Presenting Evidence To Challenge the Non-Obviousness of the DNA Sequence Encoding for Human Erythropoietin. Amgen Inc.'s proposed reply is attached hereto as Attachment A.

In support of this motion, Amgen states that its proposed reply brief is limited to the issues raised in Roche's opposition, is concise, and will be of assistance to the Court.

Dated: September 6, 2007

Respectfully Submitted,

AMGEN INC.,
By its attorneys,

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CERTIFICATE PURSUANT TO LOCAL RULE 7.1

I certify that counsel for the parties have conferred in an attempt to resolve or narrow the issues presented by this motion and no agreement was reached.

/s/ Michael R. Gottfried
Michael R. Gottfried

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 and paper copies will be sent to those indicated as non-registered participants on September 4, 2007.

/s/ Michael R. Gottfried
Michael R. Gottfried