

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
AMGEN INC.,)	
)	
Plaintiff,)	
)	
v.)	
)	CIVIL ACTION No.: 05-CV-12237WGY
F. HOFFMANN-LA ROCHE LTD)	
ROCHE DIAGNOSTICS GmbH)	
and HOFFMANN-LA ROCHE INC.)	
)	
Defendants.)	
_____)	

NOTICE OF SERVICE OF CONFIDENTIAL EXHIBITS TO ROCHE’S MOTION *IN LIMINE* TO PRECLUDE AMGEN FROM ASSERTING THAT THERE WAS A RESTRICTION REQUIREMENT SEPARATING THE ‘008 PATENT CLAIMS FROM THE CLAIMS OF THE ‘868 AND ‘698 PATENTS

Defendants F. Hoffmann-La Roche Ltd, Roche Diagnostics GmbH, and Hoffmann-La Roche Inc. (collectively, “Roche”) hereby certify, pursuant to the Protective Order dated February 7, 2007 [docket #274], that it served on September 6, 2007 via hand delivery, on plaintiff Amgen Inc.’s (“Amgen”) counsel, Michael Gottfried at Duane Morris LLP and Deborah Fishman at Day Casebeer Madrid & Batchelder LLP, the following document which contains information Amgen has identified as confidential:

Exhibit C to Roche’s Motion *In Limine* to Preclude Amgen from Asserting that there Was a Restriction Requirement Separating the ‘008 Patent Claims from the Claims of the ‘868 and ‘698 Patents.

Amgen has designated information in this document as confidential and accordingly, Roche hereby submits this exhibit for *in camera* inspection pursuant to the Protective Order. It is necessary for the Court to review this document, as it contains important facts and admissions that are highly relevant to the present motion.

Pursuant to paragraph 14 of the Protective Order, Amgen has four (4) Court days to seek leave of Court pursuant to Local Rule 7.2 if it seeks to have the Court deem this exhibit confidential and require its filing under seal.

Dated: September 6, 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/ Kimberly J. Seluga
Kimberly J. Seluga

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