

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
AMGEN INC.,)	
)	
Plaintiff,)	
)	
vs.)	
)	CIVIL ACTION No.: 05-CV-12237WGY
F. HOFFMANN-LA ROCHE LTD,)	
ROCHE DIAGNOSTICS GMBH,)	
AND HOFFMANN-LA ROCHE INC.,)	
)	
Defendants)	
_____)	

**ROCHE’S MOTION FOR LEAVE TO FILE A REPLY IN FURTHER SUPPORT OF
ROCHE’S MOTION *IN LIMINE* TO PRECLUDE AMGEN FROM INTRODUCING
INTO EVIDENCE OR REFERENCING TO THE JURY: 1) THE SEPTEMBER 30, 1985
AMGEN/ORTHO PRODUCT LICENSE AGREEMENT, AND 2) EVIDENCE
CONCERNING LICENSING OF THE PATENTS-IN-SUIT**

Defendants F. Hoffman-La Roche Ltd., Roche Diagnostics GmbH, and Hoffman-La Roche Inc. (“Roche”) respectfully request leave to file a reply to Amgen Inc.’s Opposition to Roche’s Motion *in Limine* to Preclude Amgen Inc. from introducing into evidence or referencing to the jury: 1) the September 30, 1985 Amgen/Ortho Product License Agreement (PLA), and 2) Evidence Concerning Licensing of the Patents-In-Suit (D.I. 975). Roche’s proposed reply brief is attached hereto as Exhibit A.

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

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 that no agreement was reached.

Dated: September 7, 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
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