

**AMGEN'S OBJECTIONS TO ROCHE'S CLAIMS THAT EXHIBITS ARE ADMISSIONS
(CATEGORY B)**

EXHIBIT LETTER	DOC DATE	DESCRIPTION	AMGEN'S POSITION
BBB	11/00/1985	Cloning and Expression of the human erythropoietin gene, Proc. Nat'l. Acad. Sci. Vol. 82 pp.7580-7584	No Objection
NBE	10/2/1984	Egrie et al, "Characterization of Recombinant Human and Monkey Erythropoietin" Abstract from 10th Annual Fredrick Stohlman Memorial Symposium on Stem Cell Physiology, Boston, MA (1984)	No Objection
NZT	00/00/1988	Vapnek et al, "Comparative Studies of Natural and Recombinant Human Erythropoietin," 241-256 (1988)	No Objection
POF	9/27/1985	Amgen Inc.'s September 27, 1985 Notice of Claimed Investigational Exemption for Recombinant-Human Erythropoietin (EXCERPTS);	No Objection
OVL	11/14/1986	Letter to E. Esber from L. Johnson re: Recombinant CHO cells	No Objection
PZV (excerpt of 2057)		Section 9 of Amgen's Product License Application for Recombinant Human Erythropoietin (r-HuEPO)	No Objection
ODC		Handwritten Notes	The document is a handwritten note with an unknown author and accordingly cannot be authenticated; No foundation as to how exhibit relates to Roche's claims of invalidity and therefore the exhibit is confusing and prejudicial
OFM		Handwritten Telephone Notes and Comments	The document is a handwritten note with an unknown author and accordingly cannot be authenticated; No foundation as to how exhibit relates to Roche's claims of invalidity and therefore the exhibit is confusing and prejudicial
OID (dupe of CBZ, admitted as 2071)	9/9/1983	Notebook 448 (Joan Egrie)	No Objection
PVF	9/17/1984	Memorandum to J. Fenno and N. Stebbing from D. Vapnek RE: IND for EPO	The exhibit is irrelevant because how Amgen plans to conduct clinical trials is irrelevant to invalidity; No foundation as to how exhibit relates to Roche's claims of invalidity and therefore the exhibit is confusing and prejudicial.

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OSR(dupe of OST)	12/3/1984	Memorandum to Distribution from J. Egrie and J. Fenno RE: Summary of EPO Clinical Panel Meeting	Exhibit Already Admitted No. 2066
OTI	3/25/1985	Letter to E. Goldwasser from M. Downing RE: draft of first clinical study protocol	The exhibit is irrelevant because the exhibit is dated after the invention date and is therefore not relevant to validity; there is no evidence of derivation; No foundation as to how exhibit relates to Roche's claims of invalidity and therefore the exhibit is confusing and prejudicial.
OTV	7/16/1985	Memo from J. Browne et al. Re: Selection of the EPO Phase I study site, recommendation of; Seattle	The exhibit is irrelevant because the exhibit is dated after the invention date and therefore the exhibit is not relevant to validity. No foundation as to how exhibit relates to Roche's claims of invalidity and therefore the exhibit is confusing and prejudicial.
OVY	4/6/1987	Memorandum to J. Browne/Distribution from D. Tajiri RE: Absence of Arginine at the C-terminus of r-huEPO	The exhibit is not on official letterhead so it is not a proper business record; the exhibit is not relevant; No foundation as to how exhibit relates to Roche's claims of invalidity and therefore the exhibit is confusing and prejudicial.
OUN	1/19/1986	Amgen's submission for obtaining designation of Recombinant Human Erythropoietin as an Orphan Drug.	No Objection
OUV	4/7/1986	Memorandum to M. Downing from S. Kradjian RE: U. Washington EPO Clinical Study	The exhibit is irrelevant and misleading because the facts are not capable of verification; No foundation as to how exhibit relates to Roche's claims of invalidity and therefore the exhibit is confusing and prejudicial.
OYF	10/31/1990	Memorandum to J. Browne, E. Gabriel, S. Hershenson, S. Odre, T. Strickland from J. Egrie RE: Materials from Dr. Goldwasser Related to HSA Use in EPO Formula	Exhibit already Admitted No. 2067

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ORZ	9/17/1984	Memorandum to J. Fenno, N. Stebbing from D. Vapnek RE: IND	The exhibit is irrelevant because how Amgen plans to conduct clinical trials is irrelevant to invalidity; No foundation as to how exhibit relates to Roche's claims of invalidity and therefore the exhibit is confusing and prejudicial.
PVN	10/26/1984	Vapnek, "Molecular Cloning and Characterization of the Gene Encoding Erythropoietin,"	No Objection
NWG	6/25/1979	Judith M. Sherwood and Eugene Goldwasser	No Objection