

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 DOCUMENTS**

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 25, 2007 by hand delivery, on plaintiff Amgen Inc.'s ("Amgen") counsel, Michael Gottfried at Duane Morris LLP and Deborah Fishman at Day Casebeer Madrid & Batchelder LLP, and by Federal Express Overnight Mail on counsel for Amgen and for Dr. Adrian Katz, Kevin Flowers at Marshall, Gerstein and Borun LLP, the following document that has been designated as confidential pursuant to the protective order:

1. Exhibit B to the Declaration of Emily J. Schaffer in Support of Roche's Motion In Limine to Exclude the Testimony of Dr. Adrian Katz obtained by Amgen Through Duress and Subterfuge for Lack of Competence and Improper Expert Testimony From a Fact Witness.

This document contains information that Amgen and/or Dr. Katz has designated as confidential and accordingly, Roche hereby submits it 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 and/or Dr. Katz 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 document confidential and require its filing under seal.

Dated: September 25, 2007  
Boston, Massachusetts

/s/ Emily J. Schaffer  
Lee Carl Bromberg (BBO# 058480)  
Julia Huston (BBO# 562160)  
Keith E. Toms (BBO# 663369)  
Nicole A. Rizzo (BBO# 663853)  
Kimberly J. Seluga (BBO# 667655)  
Emily J. Schaffer (BBO# 653752)  
BROMBERG & SUNSTEIN LLP  
125 Summer Street  
Boston, MA 02110  
Tel. (617) 443-9292  
[eschaffer@bromsun.com](mailto:eschaffer@bromsun.com)

Leora Ben-Ami (*pro hac vice*)  
Mark S. Popofsky (*pro hac vice*)  
Patricia A. Carson (*pro hac vice*)  
Thomas F. Fleming (*pro hac vice*)  
Howard S. Suh (*pro hac vice*)  
Peter Fratangelo (BBO# 639775)  
Vladimir Drozdoff (*pro hac vice*)  
David L. Cousineau (*pro hac vice*)  
KAYE SCHOLER LLP  
425 Park Avenue  
New York, New York 10022  
Tel. (212) 836-8000

**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). Pursuant to agreement of counsel dated September 9, 2007, paper copies will not be sent to those indicated as non registered participants.

/s/ Emily J. Schaffer  
Emily J. Schaffer

03099/00501 745378.1