

DAY CASEBEER
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EXHIBIT A

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VIA EMAIL

Tom Fleming
Kaye Scholer LLP
c/o Metro Meeting Centers-Boston
101 Federal Street, 4th Floor
Boston, MA 02110

Re: *Amgen Inc. v. F. Hoffman-La Roche, LTD., et al.*

Dear Tom:

In light of the Court's statement that "[e]verything further in this trial is on the record" (9/27/07 Trial Tr. at 1656:23) we hereby notify you that Amgen may discuss and use excerpts from Roche's BLA and/or IND in its infringement opening statement as well as the rest of our case-in-chief on infringement. Of course, we will not publish any patient-identifying data.

Regards,

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MADRID & BATCHELDER LLP



Renee DuBord Brown

RDB:rlp