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EXHIBIT B

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September 30, 2007

VIA EMAIL

Renee DuBord Brown, Esq.
Day Casebeer Madrid & Batchelder LLP
20300 Stevens Creek Blvd, Suite 400
Cupertino, California 95014

Re: Amgen, Inc. v. F. Hoffman-La Roche Ltd, Roche Diagnostics GmbH, and Hoffmann-LaRoche Inc., Civ. No. 05-CV-12237WGY, D. Mass

Dear Renee:

We disagree with your letter yesterday regarding Amgen's use of Roche's BLA/IND Confidential Materials and object to Amgen's attempt to abuse the Court's order. The Court has made numerous specific rulings on those documents, sealing where necessary and also holding certain sections confidential. The Judge's comments on the record were directed to an Amgen submission relating to a section of a deposition that the reporter, not the parties, had designated as confidential. The Court's rulings on the handling of these documents are still in effect and we demand confirmation that Amgen is and has been in compliance with those instructions as set forth among other places in the Protective Order. We will continue to oppose Amgen's efforts to abuse Roche confidential information as a means to damage Roche's business unrelated to any good faith exercise in this case. We will also apply to the Court to preclude Amgen from doing what your letter suggests. Please identify to me by noon today whatever documents Amgen intends to use and the day on which it intends to use them.

Moreover, we object to any use of Roche BLA/IND Confidential information in Amgen's infringement opening on several grounds. The question raised more particularly by your letter is when Amgen intends to close its case on invalidity? In order to abide by the exchange requirements of the Court's order and the PTM, Roche needs to know this immediately.

Very truly yours,

/s/ Thomas F. Fleming

Thomas F. Fleming

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KAYE SCHOLER LLP

Renee DuBord Brown, Esq.

2

September 30, 2007

cc: Leora Ben-Ami
Patricia Carson
Julia Huston
Aaron Hand
Alison Maddeford
Jeremy Jordan
Rachelle Platt
Michael Gottfried

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