

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)	
_____)	

**DEFENDANTS’ OPPOSITION TO PLAINTIFF’S MOTION
TO ADMIT IN-HOUSE COUNSEL *PRO HAC VICE***

Defendants F. Hoffmann-La Roche Ltd, Roche Diagnostics GmbH, and Hoffmann-La Roche Inc. (collectively “Roche”) respectfully submit this opposition to Plaintiff Amgen Inc.’s (“Amgen”) Motions for Admission *Pro Hac Vice* for Monique L. Cordray, Darrell G. Dotson, MarySusan Howard, Kimberlin L. Morely, Stuart L. Watt and Wendy A. Whiteford (collectively, “Amgen’s in-house counsel”).

Roche has not opposed any of Amgen’s prior motions to admit its counsel *pro hac vice*, where no fewer than 28 attorneys from various law firms have appeared in this proceeding on behalf of Amgen (25 of whom were admitted *pro hac vice*).¹ Roche does not have any information about the fitness of the proposed in-house attorneys for admission, however, wishes only to note for the Court in this opposition that the admission of these 6 in-house Amgen attorneys should not be used by Amgen to circumvent the dispute about the protective order pending in a separate motion before the Court, as Roche continues its strenuous objection to

¹ By contrast, 7 attorneys have appeared for Roche.

allow highly confidential and sensitive information about an accused product that is pending approval before the FDA to be disclosed to anyone at Amgen, including Amgen in-house counsel. The parties' positions on an appropriate Protective Order will be addressed fully in separate submissions to the Court.

Accordingly, Roche hereby respectfully requests that Amgen's motions for admission of its in-house counsel be denied at this time, or at least deferred.

DATED: Boston, Massachusetts
October 24, 2006

F. HOFFMANN-LA ROCHE LTD,
ROCHE DIAGNOSTICS GMBH, and
HOFFMANN-LA ROCHE INC.

By its attorneys,

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- and -

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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/ Julia Huston
Julia Huston

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