Doc. 1370 Att. 11

## **EXHIBIT 11**

## DAY CASEBEER MADRID & BATCHELDER LLP

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March 30, 2007

VIA E-MAIL & FACSIMILE

Hank Heckel, Esq. Kaye Scholer LLP 425 Park Avenue New York, NY 10022-3598

Re: Amgen Inc. v. F. Hoffmann-La Roche Ltd., et al. (05-CV-12237 WGY)

Dear Hank:

I write concerning several document issues that arose during the deposition of Dr. Jarsch on March 27.

First, we understand has agreed to re-designate as "Confidential" several documents currently designated as "Highly Confidential." These documents are:

Bates Range	Description	Correct Designation
R001578450-473	CERA Pre-Clinical	Confidential
	Advisory Board Meeting,	
	January 22, 2005	
R001578504-530	CERA Update on Pre-	Confidential
	Clinical Data LCT, June 7,	
	2005	
R001582204-207	Jarsch e-mail re: CERA	Confidential
	MoA Abstract for EDTA,	
	January 16, 2006	
R001568698-731	IEEM Presentation, July 14,	Confidential
	2006	

Please produce copies of these documents bearing the correct designation as soon as possible.

Second, as discussed in my letter to you of March 20 and in previous correspondence, Roche has yet to produce adequate source files and renderings, and in many cases legible color copies, of all of

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its CERA models, several of which were referred to by Dr. Jarsch during his deposition. We ask therefore that Roche produce forthwith all such files and documents (as discussed fully in my March 20 letter), specifically the following:

- Exhibit 5 to the Jarsch deposition references, on page 389, two attempts by Roche (in Basel and Pennzberg, respectively) to model CERA. Please produce color copies and nativeformat files of these models. I note that we had previously requested such production during the Haselbeck deposition.
- Exhibit 7 to the Jarsch deposition notes that "a [GIF] animation with picture every 10 degrees along Y along Y axis has been added to the presentation." During his deposition, Dr. Jarsch confirmed the existence of this animation. Exhibit 7 also references a QuickTime movie that Dr. Jarsch testified he had watched. Please produce both these visualization in their native file formats.

Finally, Dr. Jarsch referred to a draft report of the 2006 Pre-clinical Advisory Board. Please produce this document forthwith.

Thank you for your cooperation.

Very truly yours,

DAY CASEBEER
MADRID & BATCHELDER LLP

Adam Arthur Bier

AAB:jjp

cc: Thomas F. Fleming
Peter Fratangelo
Michele Moreland

Mark Izraelewicz