

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

AMGEN INC.,)	
)	
Plaintiff,)	
)	Civil Action No.: 05-12237 WGY
v.)	
)	
F. HOFFMANN-LAROCHE)	
LTD., a Swiss Company, ROCHE)	
DIAGNOSTICS GmbH, a German)	
Company and HOFFMANN LAROCHE)	
INC., a New Jersey Corporation,)	
)	
Defendants.)	

[PROPOSED] ORDER

IT IS HEREBY ORDERED that Roche should produce documents regarding the following topics in response to the corresponding Requests for Production:

TOPICS	CORRESPONDING REQUESTS FOR PRODUCTION
Documents relating to Amgen’s requested relief and Roche’s current and imminent acts of infringement	45-66, 69-83, 85, 88-103, 111, 113-126, 137-139, 146, 148-150, 154-155, 158-167, 176
Documents regarding Roche’s on-going and future offers for sale and sales of its accused product to third parties	47-48, 94-95, 100-109, 111, 113-115
Documents regarding Roche’s on-going and planned uses of peg-EPO in the United States	72-75, 123-126, 137-139

Documents regarding Roche's recruitment and training of a sales force to sell peg-EPO in the United States	91-94,116-122
Documents regarding "EPO" and the naming of the accused product	5, 14-24, 218-220
A complete electronic copy of Roche's BLA and IND documents in operable form submitted to FDA	1, 37- 42
Documents regarding existing communications, updates, and supplements regarding Roche's BLA and IND filings	38-42
Documents regarding Roche's failed attempts to design-around Amgen's patents.	16-24, 200-205

IT IS FUTHER ORDERED that Roche's general objections to:

- producing documents created after April 18, 2006 (Roche's General Objection No. 8); and
- producing documents regarding "EPO"

Are Overruled.

IT IS SO ORDERED.

WILLIAM G. YOUNG
DISTRICT COURT JUDGE