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**DATE:** December 13, 2006

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**FROM:** William G. Gaede, III      **PHONE:** (650) 813-5035      **REPLY FAX:** (650) 813-5100

**RE:** *Amgen Inc. v. F. Hoffman-LaRoche LTD, et al.*  
Case No. 05 CIV 12237 WGY

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December 13, 2006

## VIA E-MAIL AND FACSIMILE

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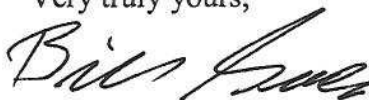
**Re: *Amgen v. F. Hoffman-LaRoche LTD, et al.***  
**Case No. 05 CIV 12237 WGY**

Dear Howard:

I write in response to your letter of today on our Monday December 11 meet and confer received by us approximately 2 hours after we had sent to you our letter responding to the issues we had discussed. Your letter did not address our letter, and therefore, I do not believe it is productive to go through your letter item by item. I further do not agree with your characterization of how issues were discussed, but suffice it to say, our earlier letter of today states our position. I invite you to respond to our letter.

Having reviewed your letter, I believe the only item requiring further response from Amgen is Roche's proposal to reduce the scope of its sales and cost requests to "be 1997 onward." Can you provide to me the justification for this date given that Roche is only now preparing to come onto the market? Your letter did not provide a rationale for this date from approximately ten years ago. Also, per my earlier letter, please direct all correspondence on these issues to Michele Moreland. Thanks.

Very truly yours,



William G. Gaede, III

cc: Mike Gottfried, Esq.  
Krista Carter, Esq.  
Sandip H. Patel, Esq.