

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
AMGEN INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>C.A. NO.: 05-12237-WGY</b>
	)	
F. HOFFMANN-LAROCHE	)	
LTD., a Swiss Company, ROCHE	)	
DIAGNOSTICS GmbH, a German	)	
Company and HOFFMANN LAROCHE	)	
INC., a New Jersey Corporation,	)	
	)	
Defendants.	)	
_____	)	

NOTICE OF SERVICE OF CONFIDENTIAL DOCUMENTS  
TO BE FILED IN SUPPORT OF PLAINTIFF’S MOTION TO COMPEL

The Plaintiff, Amgen Inc. (“Amgen”), hereby certifies, pursuant to the Court’s Orders dated 11/06/06 [#142] and 11/30/06 [#159], that it served today, via hand-delivery, upon defense counsel at Bromberg & Sunstein LLP and via overnight mail to defense counsel at Kaye Scholer LLP, the following documents, which contain information designated as confidential by the defendants (“Roche”):

1. Amgen Inc.’s Memorandum of Points and Authorities in Support of Its Motion to Compel Production of Documents, with Appendix A; and
2. Declaration of Krista M. Carter in Support of Plaintiff Amgen Inc.’s Memorandum in Support of its Motion to Compel, with exhibits.

Pursuant to the Court’s Orders, Roche has two (2) court days from receipt of these documents to either consent to the public filing of these documents or to seek a court order to seal these documents. In the event that Roche either consents to the public filing of these

documents or the Court fails to approve their motion to seal within three (3) court days from the filing of Roche's motion to seal, Amgen will then proceed to publicly file the above-listed documents with the Court.

Dated: December 15, 2006

Respectfully Submitted,

AMGEN INC.,  
By its attorneys,

Of Counsel:

Stuart L. Watt  
Wendy A. Whiteford  
Monique L. Cordray  
Darrell G. Dotson  
MarySusan Howard  
Kimberlin L. Morley  
AMGEN INC.  
One Amgen Center Drive  
Thousand Oaks, CA 91320-1789  
(805) 447-5000

/s/ Michael R. Gottfried  
D. Dennis Allegretti (BBO#545511)  
Michael R. Gottfried (BBO# 542156)  
Patricia R. Rich (BBO# 640578)  
DUANE MORRIS LLP  
470 Atlantic Avenue, Suite 500  
Boston, MA 02210  
Telephone: (617) 289-9200  
Facsimile: (617) 289-9201

Lloyd R. Day, Jr.  
DAY CASEBEER, MADRID & BATCHELDER  
LLP  
20300 Stevens Creek Boulevard, Suite 400  
Cupertino, CA 95014  
Telephone: (408) 873-0110  
Facsimile: (408) 873-0220

William Gaede III  
McDERMOTT WILL & EMERY  
3150 Porter Drive  
Palo Alto, CA 94304  
Telephone: (650) 813-5000  
Facsimile: (650) 813-5100

Michael F. Borun  
Kevin M. Flowers  
MARSHALL, GERSTEIN & BORUN LLP  
233 South Wacker Drive  
6300 Sears Tower  
Chicago, IL 60606  
Telephone: (312) 474-6300  
Facsimile: (312) 474-0448

**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 and paper copies will be sent to those indicated as non-registered participants on December 15, 2006.

/s/ Michael R. Gottfried

Michael R. Gottfried