

Howard Suh/NY/US/KSFHH

12/13/2006 04:49 PM

To
"Fishman, Deborah" <dfishman@daycasebeer.com>
cc
"Gottfried, Michael R." <mrgottfried@duanemorris.com>; PFratangelo@kayescholer.com;
"Platt, Rachelle L." <rplatt@daycasebeer.com>; "Virrueta, Sema"
<svirrueta@daycasebeer.com>; Thomas Fleming/NY/US/KSFHH@KSFHHNotes;
hheckel@kayescholer.com
Subject
Re: meet and confer

Deborah, I do not believe Roche's position has changed from what was discussed at our teleconference on Monday, although we did have issues with respect to certain of your characterizations of that meeting, which we planned on responding to today by letter. However, if you feel compelled to have to file a motion, that is your prerogative.

Howard

"Fishman, Deborah"
<dfishman@daycasebeer.com>

12/13/2006 04:43 PM

To
<hsuh@kayescholer.com>; <PFratangelo@kayescholer.com>
cc
<TFleming@kayescholer.com>; "Virrueta, Sema"
<svirrueta@daycasebeer.com>; "Platt, Rachelle L."
<rplatt@daycasebeer.com>; "Gottfried, Michael R."
<mrgottfried@duanemorris.com>
Subject
meet and confer

Dear Howard and Peter,

I have tried unsuccessfully to reach each of you today in an effort to meet and confer per L.R. 7.1 regarding a motion to compel that Amgen plan to file today as well as a motion to file an oversize brief. I have left messages for both of you, but have not heard back from either. Please contact me as soon as possible.

Thanks,
Deborah

Deborah Fishman

Day Casebeer Madrid Batchelder, LLP

fishmand@daycasebeer.com

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