

## **EXHIBIT 9**

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November 16, 1999

VIA FACSIMILE AND U.S. MAIL

Ed Di Lello, Esq.  
Darby & Darby  
805 Third Avenue  
New York, NY 10022-7513

Re: Amgen v. Hoechst/TKT, No. 97-10814-WGY

Amgen / TKT \* EPO  
0101-006  
David Madrid  
Rusty Day  
Craig Casebeer  
Jackie Nakamura  
Linda Baxley-Sasaki  
Jennifer Dupré  
Deborah Fishman  
Rob Galvin  
Jonathan Loeb  
Jim Nesbitt  
Elaine Stracker  
Chris Stretch  
Terry Tang  
Judi Ubando  
File: Carol Williams  
Client: Stuart Watt (fax)  
Co-counsel: Ed O'Toole (fax)

Dear Ed:

Attached is the order granting the Joint Motion to Amend Stipulated Protective Order.

Now that the Court has entered the order, it is our understanding that Lonza Biologics, Inc. will immediately begin to produce documents and will make a good faith effort to complete the production by November 19. Please confirm.

Please also confirm that the noticed date for the Rule 30(b)(6) deposition of Lonza Biologics, Inc. is acceptable. We expect the deposition will take approximately two days to complete.

Very truly yours,



Robert M. Galvin  
RMG:cw  
Attachment

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
NOV 5 11 49 AM '99  
U.S. DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

AMGEN INC.,  
  
Plaintiff,  
  
v.  
  
HOECHST MARION ROUSSEL, INC.  
and  
TRANSKARYOTIC THERAPIES, INC.,  
  
Defendants.

Civil Action  
No. 97-10814-WGY

*Nov 15, 1999*

*Motion allowed.  
William A. Young  
Chief Judge*

DOCKED

**JOINT MOTION TO AMEND STIPULATED PROTECTIVE ORDER**

The parties hereby jointly move the Court to enter the First Amendment to the Stipulated Protective Order.

The amendment is necessary to provide a second level of confidentiality to certain documents and things to be produced by Lonza Biologics, Inc., a third party to this action, pursuant to subpoena.

Attached as Exhibit A for filing and execution by the Court is a duly executed First Amendment to Stipulated Protective Order.

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