

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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

**PLAINTIFF AMGEN INC.’S EMERGENCY MOTION TO OVERRULE ROCHE’S  
OBJECTIONS TO AMGEN’S DESIGNATION OF ECONOMIC EXPERTS**

Pursuant to FED. R. CIV. P. 37(a) and L.R. 37.1, Plaintiff Amgen, Inc. (“Amgen”) respectfully submits this emergency motion requesting that the Court overrule Roche’s objections to Amgen’s economic experts and permit disclosure of Confidential Discovery Materials to them, as provided for in Paragraph 13 of the December 21, 2006 Protective Order in this case.

The grounds for this motion are set forth in Amgen’s Memorandum in Support of its Emergency Motion to Overrule Roche’s Objections to Amgen’s Economic Experts and the accompanying Declarations of Renee DuBord Brown, Dr. Eric Gaier, Dr. Christopher Stomberg, and Benjamin Scher.

Dated: January 11, 2007

Respectfully Submitted,  
AMGEN INC.,  
By its attorneys,

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**CERTIFICATE PURSUANT TO LOCAL RULE 7.1**

I hereby certify that counsel for the Plaintiff has attempted to confer with counsel for the Defendants, F. Hoffman-LaRoche Ltd., Hoffman LaRoche Inc. and Roche Diagnostics GmbH, in an attempt to resolve or narrow the issues presented by this motion and that no agreement could be reached.

/s/ Michael R. Gottfried

Michael R. Gottfried

**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 January 11, 2007.

/s/ Michael R. Gottfried

Michael R. Gottfried