

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

_____	)	
AMGEN INC.,	)	
	)	
Plaintiff,	)	
v.	)	
	)	Civil Action No. 05-CV-12237WGY
F. HOFFMANN-LA ROCHE LTD,	)	
ROCHE DIAGNOSTICS GMBH, and	)	
HOFFMAN-LA ROCHE INC.,	)	
	)	
Defendants.	)	
_____	)	

**JOINT MOTION TO AMEND PROTECTIVE ORDER**

The parties Amgen Inc. (“Amgen”) and F. Hoffmann-La Roche Ltd, Roche Diagnostics GmbH, and Hoffmann-La Roche Inc. (collectively “Roche”) hereby jointly move to amend the Protective Order to expand the number of days in which to seek leave to file trade secret material under seal from two (2) Court days to four (4) Court days.

As grounds for this motion, the parties state that, on December 19, 2006, the parties jointly sought entry of a Protective Order subject to the resolution of one issue. The parties’ Proposed Protective Order provided that, in the event that a party seeks to file another party’s confidential information with the Court, the party supplying the confidential material shall have two (2) Court days to file a motion to seal the materials on the grounds that said materials constitute a trade secret. The issue on which the parties sought resolution was set out in bracketed text at the end of Paragraph 14. The parties’ proposed Protective Order was entered by the Court on December 21, 2006, with a handwritten notation on the accompanying motion that the bracketed text was not being adopted by the Court. Protective Order, D.N. 189, Pages 9-10, Paragraph 14.

The parties now seek to amend the Protective Order to expand by two days the time by which a party supplying confidential material may make a motion to require the filing of such material under seal on the grounds that it is a trade secret. The parties believe this additional time is needed in order to make the level of showing the Court has required, as the Court explained to counsel for the parties as a hearing on dispositive motions held on December 20, 2006, including the submission of detailed declarations from individuals with knowledge of the trade secret documents at issue.

Accordingly, the parties jointly request that the Court enter the Amended Protective Order attached hereto as Exhibit A. The Amended Protective Order is identical to the Protective Order, except for the amendments to Paragraph 14 changing the two (2) Court day period to a four (4) Court day period, and deleting the bracketed language which was not adopted by the Court.

Date: February 6, 2007

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By its attorneys,

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**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 (NEF) and paper copies will be sent to those indicated as non registered participants on the above date.

/s/ Julia Huston  
Julia Huston