

ATTACHMENT B

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

AMGEN INC.,	)	
	)	
Plaintiff,	)	
v.	)	Civil Action No.: 05 Civ. 12237 WGY
	)	
F. HOFFMANN-LA ROCHE LTD, ROCHE	)	
DIAGNOSTICS GmbH, and HOFFMANN-	)	
LA ROCHE INC.,	)	
Defendants.	)	
	)	
	)	

**IN-HOUSE COUNSEL AGREEMENT TO ABIDE BY PROTECTIVE ORDER**

The undersigned represents that he or she is affiliated with [Plaintiff Amgen, Inc.] [Defendants F. Hoffman-La Roche Ltd, Roche Diagnostics GmbH, and Hoffman-La Roche Inc.], in the above captioned matter. The undersigned is involved in this litigation as an attorney and is admitted to practice in \_\_\_\_\_ [all jurisdictions]. The undersigned has read the Protective Order issued on \_\_\_\_\_ by the Honorable William G. Young in this matter, and in accordance with that Order, hereby agrees:

Amgen Inc. v. F. Hoffmann-LaRoche LTD et al

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- (1) To be bound by the terms of the Protective Order;
- (2) Not to reveal Confidential Material or Restricted Access Confidential BLA/IND Material under this Protective Order to anyone other than another person authorized to have access to it pursuant to Paragraphs 9 and 10 of the Protective Order;

- (3) To use such Confidential Material or Restricted Access Confidential BLA/IND Material solely for purposes of this litigation, unless permission is received from the Supplier, or the Court, to use it for other purposes;
- (4) To maintain the following documents containing such Restricted Access Confidential BLA/IND Material under lock and key, such as in a locked room or filing cabinet, at any location: documents filed with the Court in this proceeding, deposition transcripts (but not exhibits) in this proceeding, expert reports (but not exhibits) in this proceeding, interrogatory answers in this proceeding, admissions in this proceeding, and drafts of any of the foregoing.
- (5) To comply with the procedures set forth in Paragraph 4 of the Protective Order with respect to Restricted Access Confidential BLA/IND Material;
- (6) Acknowledges that he/she is not permitted access to any other party's materials designated as Highly Confidential Material without consent of the Supplier or an order of the Court;
- (7) Not to participate in or supervise patent prosecution or engage in any competitive decision-making with respect to any ESP (any erythropoiesis-stimulating protein, including EPO, peg-EPO, and EPO analog) for one year after the conclusion of the lawsuit.

Respectfully submitted,

Dated:

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Name  
Employer  
Address