

Exhibit 4

DAY CASEBEER
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February 8, 2007

VIA EMAIL & FACSIMILE

Tom Fleming, Esq.
Kaye Scholer LLP
425 Park Avenue
New York, NY 10022-3598

Re: *Amgen Inc. v. F. Hoffmann-La Roche Ltd., et. al.* (05-CV-12237 WGY)

Dear Tom:

I write to summarize our discussion today regarding Roche's on-going communications and filings with FDA in support of the pending BLA on Mircera. On our call today, you took the position that Roche is not obligated to produce to Amgen its regulatory submissions filed with FDA in support of its pending BLA unless and until FDA final action on Roche's pending application. You stated that Roche would produce underlying clinical data it had submitted to FDA, but only once Roche deems such trials "closed." As a practical matter, Roche refuses to produce its August and December 2006 submissions to FDA and the underlying clinical data filed in support thereof. In addition, you reiterated your oft-stated position that Roche will not produce its on-going communications with FDA.

As I expressed on our call, I am surprised and disappointed by your position on Roche's supplemental BLA filings given the history of this issue. First, during the meet and confer process on Amgen's original Motion to Compel, Roche articulated a "compromise position" on post-April 18, 2006 documents that included producing its on-going FDA submissions. Moreover, Roche represented to the Court in its Opposition Motion to Amgen's Motion to Compel that it would produce documents relating to clinical studies that have been completed and submitted to the FDA" and the Court relied on this representation in its Order on Amgen's Motion to Compel. Finally, I am disappointed that despite our frequent conversations on the subject and my expressly-stated assumption that Roche would be producing its supplemental filings as part of its Court-ordered production on January 29, you never corrected my "mis-impression."

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Page 2

As I confirmed with you earlier today, the parties are at an impasse and Amgen will seek the Court's intervention to resolve this issue.

Very truly yours,

DAY CASEBEER
MADRID & BATCHELDER LLP

A handwritten signature in black ink, appearing to read "Deborah E. Fishman", with a long horizontal flourish extending to the right.

Deborah E. Fishman

DEF:rlp

cc: Peter Fratangelo, Esq.
Howard Suh, Esq.
Michele Moreland, Esq.
Mark Israelewicz, Esq.