

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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

AMGEN INC.’S MOTION TO ENFORCE THE COURT’S JANUARY 23, 2007 ORDER COMPELLING ROCHE TO PRODUCE ITS CELL LINE AND TO EXTEND THE TIME FOR AMGEN TO SUBMIT ITS INFRINGEMENT EXPERT REPORT REGARDING THE TESTING OF ROCHE'S DN2-3(A)3 CELL LINE

Pursuant to FED. R. CIV. P. 37(a) and L.R. 37.1, Plaintiff Amgen, Inc. (“Amgen”) respectfully submits this Motion to Enforce the Court’s January 23, 2007 Order Compelling Roche to Produce Its Cell Line and to Extend the Time for Amgen to Submit Its Infringement Expert Report Regarding the Testing of Roche’s DN2-3(a)3 Cell Line.

The grounds for this motion are set forth in Amgen Inc.’s Memorandum in Support of its Motion to Enforce the Court’s January 23, 2007 Order Compelling Roche to Produce Its Cell Line and to Extend the Time for Amgen to Submit Its Infringement Expert Report Regarding the Testing of Roche’s DN2-3(a)3 Cell Line, as well as in the accompanying Declaration of Krista M. Carter.

Dated: February 23, 2007

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CERTIFICATE PURSUANT TO LOCAL RULE 7.1

I hereby certify that counsel for the Plaintiff has met and conferred 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 February 23, 2007.

/s/ Michael R. Gottfried

Michael R. Gottfried