

Exhibit 13

From: Fishman, Deborah
Sent: Friday, February 23, 2007 1:04 PM
To: pcarson@kayescholer.com
Cc: YNegrón@kayescholer.com; Platt, Rachelle L.; Carter, Krista
Subject: your letter

Dear Pat,

I just received your letter purporting to summarize this morning's meet and confer. I strenuously disagree with a number of the characterizations in your letter.

Notably, during our meet and confer I told you that we would be filing a motion today to enforce the Court's order requiring Roche to produce its cell line unless you could confirm a date certain for your production before today's filing deadline. Your letter fails to do this. Even though you say that the process for importing those cells has begun (notwithstanding the fact that Roche was ordered to start this process a month ago), you also do not commit to producing them to Amgen immediately upon importation. As I told you on our call, if in the next week you are able to confirm a date certain for the production to Amgen of Roche's EPO producing cell line on or before March 2, 2007, that Amgen would withdraw its motion. My offer to do so remains on the table notwithstanding the numerous mischaracterizations in your letter. It is not Amgen's desire to needlessly compound issues in this case, but having spent the last two and a half months meeting and conferring with Roche on this issue, and seeing the current negotiations break down, Amgen needs to move the Court to mitigate the compounding prejudice to its efforts to prepare expert reports.

Also, contrary to the suggestion in your letter, as we told you on the meet and confer, Roche has failed to articulate a relevance for the production of Amgen's EPO-producing cell line or explained why Amgen's production of documents was insufficient. You promised to provide the relevance for Amgen's cell lines, but your letter notably fails to do so. We do not view the Court's order as requiring Amgen to produce its EPO-producing cell line since we have already produced reciprocal discovery through our document production. Having said, that, I also told you that Amgen remains willing to discuss the possibility of producing its EPO-producing cell line once it understands the relevance of this production and why other discovery produced to date is unable to provide the same information.

Very truly yours,
Deborah

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