

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

AMGEN INC.,)
))
Plaintiff,)
))
v.)
))
F. HOFFMANN-LA ROCHE LTD,)
ROCHE DIAGNOSTICS GmbH, and)
HOFFMANN-LA ROCHE INC.)
))
Defendants.)
))

)

CIVIL ACTION No.: 05-cv-12237WGY

JOINT MOTION FOR LEAVE TO FILE OVERSIZE MARKMAN BRIEFS

The parties Amgen Inc. (“Amgen”) and F. Hoffmann-La Roche Ltd, Roche Diagnostics GmbH, and Hoffmann-La Roche Inc. (“Roche”) (collectively “the parties”) hereby jointly request leave to file their respective claim construction briefs in excess of the twenty-page limitation established by Local Rule 7.1(b)(4). Specifically, the parties request that the page limit of the principal claim construction briefs and for the responsive claim construction briefs be extended to thirty-five (35) pages.

As grounds for this motion, the parties state as follows:

1. Claim construction in this case presents complex factual and legal issues concerning six United States patents that require a thorough and detailed exposition in order to fully and adequately address the meaning of the many claim terms from each asserted patent.
2. Although the parties will endeavor to present a concise argument in both the principal briefs and the responsive briefs, the complex, technical nature of the six patents at issue

necessitates a detailed discussion, which will likely exceed the twenty-page limit of L.R.

7.1(b)(4).

CERTIFICATE PURSUANT TO LOCAL RULE 7.1

I certify that counsel for the parties have conferred in an attempt to resolve or narrow the issues presented by this motion and that counsel for Amgen has assented to this motion.

/s/ Nicole A. Rizzo
Nicole A. Rizzo

Date: March 1, 2007

AMGEN INC.

F. HOFFMANN-LA ROCHE LTD,
ROCHE DIAGNOSTICS GMBH, and
HOFFMANN-LA ROCHE INC.

By its attorneys,

By their 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 March 2, 2007.

/s/ Nicole A. Rizzo
Nicole A. Rizzo