

**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.	)	
	)	
	)	

**DEFENDANTS' MOTION TO COMPEL DEPOSITION TESTIMONY  
UNDER RULE 30(b)(6)**

Pursuant to Federal Rules of Civil Procedure 37(a)(2)(B) and 30(b)(6), defendants F. Hoffmann-La Roche Ltd, Roche Diagnostics GmbH, and Hoffmann-La Roche Inc. (collectively "Roche"), respectfully submits this motion to compel Amgen, Inc. to immediately designate witnesses for topics 1-4, 6-10 and 26-27 of Roche's First Notice of Deposition to Amgen Pursuant to Rule 30(b)(6).

Amgen has thrown up disingenuous and unsupported objections to Roche's notice, and refused to designate any witnesses (or adequate witnesses) for the above topics. Instead of seeking a protective order, Amgen has unilaterally sought to deny or restrict Roche's fact discovery efforts.

Amgen's conduct jeopardizes Roche's ability to take complete Rule 30(b)(6) testimony before the April 2 fact discovery deadline.

In support of this motion, Roche submits a memorandum of law with exhibits.

WHEREFORE, Roche respectfully requests that the Court compel Amgen to designate witnesses for Roche's deposition topics 1-4, 6-10 and 26-27, and to fully prepare said witnesses as requested in Roche's Rule 30(b)(6) deposition notice.

**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 no agreement was reached.

Dated: March 15, 2007  
Boston, Massachusetts

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

By its attorneys,

/s/ Julia Huston

Lee Carl Bromberg (BBO# 058480)  
Julia Huston (BBO# 562160)  
Keith E. Toms (BBO# 663369)  
Nicole A. Rizzo (BBO# 663853)  
BROMBERG & SUNSTEIN LLP  
125 Summer Street  
Boston, MA 02110  
Tel. (617) 443-9292  
ktoms@bromsun.com

Leora Ben-Ami (*pro hac vice*)  
Patricia A. Carson (*pro hac vice*)  
Thomas F. Fleming (*pro hac vice*)  
Howard S. Suh (*pro hac vice*)  
Peter Fratangelo (BBO# 639775)  
KAYE SCHOLER LLP  
425 Park Avenue  
New York, New York 10022  
Tel. (212) 836-8000

**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 the above date.

/s/ Julia Huston

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