

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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AMGEN INC., )  
 )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 F. HOFFMANN-LAROCHE )  
 LTD., a Swiss Company, ROCHE )  
 DIAGNOSTICS GmbH, a German )  
 Company and HOFFMANN LAROCHE )  
 INC., a New Jersey Corporation, )  
 )  
 Defendants. )

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**C.A. NO.: 05-12237-WGY**

**MOTION FOR LEAVE TO FILE A REPLY TO DEFENDANTS’ OPPOSITION TO  
AMGEN INC’S MOTION TO DEEM DOCUMENTS AND MEMORANDUM  
CONFIDENTIAL THAT DEFENDANTS’ FILED WITH THEIR  
MOTION TO COMPEL PRODUCTION OF DOCUMENTS IMPROPERLY  
WITHHELD ON THE GROUNDS OF PRIVILEGE**

Plaintiff, Amgen Inc., respectfully requests an opportunity to file a short reply memorandum of law in order to respond to the Defendants’ Opposition [351] to Amgen Inc’s Motion to Deem Documents and Memorandum Confidential [345] that Defendants’ filed with their Motion to Compel Production of Documents Improperly Withheld on the Grounds of Privilege [336]. Amgen’s proposed reply brief is attached hereto as Exhibit A.

Amgen seeks to file this reply to in order to clarify the issue pending before the Court and believes that the reply it seeks to file will aid the Court in deciding the issues raised in the motion pending before it.

Dated: April 3, 2007

Respectfully Submitted,

AMGEN INC.,  
By its attorneys,

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**CERTIFICATE PURSUANT TO LOCAL RULE 7.1**

I certify that counsel for Amgen Inc. contacted counsel for F. Hoffman-LaRoche Ltd., Hoffman LaRoche Inc. and Roche Diagnostics GmbH in an attempt to resolve or narrow the issues presented by this motion. Counsel for F. Hoffman-LaRoche Ltd., Hoffman LaRoche Inc. and Roche Diagnostics GmbH did not respond.

/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 April 3, 2007.

/s/ Michael R. Gottfried

Michael R. Gottfried