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VIA EMAIL & FAX

Deborah E. Fishman, Esq.
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Re: Amgen, Inc. v. F. Hoffmann-La Roche, Ltd., et al.

Dear Deborah,

It has now been two weeks since the Court ordered reciprocal production of the parties' respective cell lines. Following several discussions with you, on March 8th I sent you a proposed letter to accompany delivery of Roche's cell line to Amgen's designated expert for your review and requested a meet and confer regarding the logistics of exchange. Since I did not hear back from you, I sent a follow-up e-mail yesterday, again requesting a meet and confer. I have still not heard back in response.

Roche has been ready to provide its cell line to Amgen for weeks. Prior to the Court's order of February 27th, confirming that Amgen must also produce its cell lines, Amgen insisted that it must have Roche's cell line immediately. Amgen was so adamant regarding immediate production that it filed a completely unnecessary motion to compel solely because Roche could not provide Amgen with an absolute guarantee as to when the cell line would clear customs and be in Amgen's expert's hands. Apparently now that Amgen must concede its reciprocal obligation, Amgen has unilaterally determined that any urgency has disappeared.

Amgen's refusal to resolve this matter of the cell lines is just another example of Amgen's pattern of delay and obstruction which has seriously undermined the completion of discovery under the schedule set down by the Court, and requested by Amgen in the first instance. In addition to ignoring Roche's efforts concerning the cell lines, Amgen continues to delay in providing dates for witnesses' depositions. Even when Amgen offers dates, it is usually at the eleventh hour and at times that are not mutually convenient for the parties. Compounding these problems are the numerous chronicled deficiencies in Amgen's discovery responses both written and in documents produced. Amgen's tactics have already substantially jeopardized the parties' ability to meet the Court's schedule. This fact is truly disturbing since it was Amgen that was insistent on this schedule, and now it is also Amgen that has made compliance virtually impossible.

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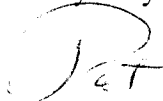
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Please contact me today to schedule the exchange of cell lines in accordance with the Court's order. As we previously discussed, it is Roche's view that Amgen is obligated to produce its EPO and Aranesp cell lines, in addition to any cell lines capable of expressing, secreting and/or otherwise producing recombinant erythropoietin that Amgen had in its possession as of the effective filing date of Amgen's EPO Patents. While nearly two weeks ago you represented that you were investigating such cell lines in Amgen's possession, I have not received a response from you.

Very truly yours,



Patricia Carson

cc: Thomas F. Fleming, Esq.
Howard S. Suh, Esq.
Julia Huston, Esq.
Patricia R. Rich