EXHIBIT 26

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VIA E-MAIL AND U.S. MAIL

Deborah Fishman
Day Casebeer Madrid & Batchelder LLP
20300 Stevens Creek Blvd.
Suite 400
Cupertino, CA 95014

Re: Amgen Inc. v. Hoffman-La Roche

Dear Deborah:

I write in response to your March 8, 2007, letter regarding the terms of DaVita, Inc.'s ("DaVita") production of documents in response to the January 12, 2007, subpoena issued by Amgen. After discussing the proposal with our client, we are now able to agree on DaVita's behalf to the terms outlined in that letter, which are memorialized below.

As we have discussed, DaVita's agreement to produce the documents described herein is conditioned on Amgen sharing the costs to DaVita of collecting the electronic data, which collection is ongoing. Currently, DaVita estimates the cost for the data collection and processing to be approximately $10,000, which would be divided equally between Amgen and Roche. If this amount is not agreeable to Amgen, please notify me at your earliest convenience.

With respect to timing, as I mentioned above, document collection and processing has commenced. It is DaVita's intention to produce certain readily-accessible information and hard-copy documents next week.

The process of collecting email communications is also well underway. DaVita's document vendor is currently processing more than a terabyte of data to extract the email files of the relevant custodians. Following this processing and compilation, DaVita will apply search terms that are reasonably calculated to identify responsive documents, and, once those documents have been identified, additional review and/or redaction will be undertaken by counsel for DaVita. As a result of the technological complexity and breadth involved in the first phase of this process, DaVita anticipates that it can begin production of requested email correspondence early in the week beginning March 26, 2007. Production to Amgen and Roche in response to their respective subpoenas will be simultaneous.

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DaVita's understanding of the agreement between DaVita and Amgen is as follows. DaVita will produce documents responsive to the following categories that were created during the period from January 1, 2003 to the present, and Amgen agrees not to move to compel the production of additional documents:

- documents and things sufficient to identify each communication between DaVita and Roche regarding the on-going and planned uses (other than current clinical trials in support of registration), offers for sale, sale and supply/storage of peg-EPO as well as communications between DaVita and Roche regarding pricing, dosing, and reimbursement for peg-EPO in the United States, including communications between DaVita and Roche that reflect or relate to negotiations and agreements between DaVita and Roche related to the above topics;

- documents reflecting communications with third parties about the benefits or detriments of peg-EPO compared to other commercially available ESAs;

- a summary of any agreements DaVita has with Roche to perform clinical trials on peg-EPO; and

- documents regarding communications between DaVita and Roche or DaVita and Amgen regarding the availability or lack of availability of clinical investigators to perform such trials.

As mentioned by Michelle McGuinness in a voice mail message to you today, we would like to discuss with you a reasonable method of identifying the documents that are responsive to the last category.

If the above does not accurately reflect your understanding of the terms of the agreement between our respective clients, please call me to discuss at your earliest convenience. Otherwise DaVita will continue with its document collection efforts on the assumption that the costs will be reimbursed by Amgen. We will update you on the process of the document collection and review process next week. In addition, I will contact you next week to discuss the 30(b)(6) subpoena we received from Amgen.

Very truly yours,

Christian T. Kemnitz/mm

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