

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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.)

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

**NOTICE OF SERVICE OF CONFIDENTIAL DOCUMENTS TO BE FILED IN
SUPPORT OF PLAINTIFF AMGEN INC.’S MOTION TO PRECLUDE FURTHER
INTERFERENCE WITH THIRD-PARTY DISCOVERY AND COMPEL PRODUCTION
OF DOCUMENTS AND DEPOSITION TESTIMONY, OR IN THE ALTERNATIVE,
MOTION TO STRIKE DEFENDANTS’ DEFENSE UNDER 35 U.S.C. § 271(e)(1)
[DOCKET NO. 379]**

The Plaintiff, Amgen Inc. (“Amgen”), hereby certifies, pursuant to the Protective Order dated February 7, 2007 [Docket No. 274], that it served today, via hand-delivery, upon defense counsel at Bromberg & Sunstein LLP and via overnight mail to defense counsel at Kaye Scholer LLP, the following:

1. Confidential Exhibit No. 5 to the Declaration of Mario Moore in Support of Plaintiff Amgen Inc.’s Motion to Preclude Further Interference with Third-Party Discovery and Compel Production of Documents And Deposition Testimony, or in the Alternative, Motion to Strike Defendants’ Defense Under 35 U.S.C. § 271(e)(1) [Docket No. 379];
2. Confidential Exhibit No. 6 to the Declaration of Mario Moore in Support of Plaintiff Amgen Inc.’s Motion to Preclude Further Interference with Third-Party Discovery and Compel Production of Documents And Deposition Testimony, or in the Alternative, Motion to Strike Defendants’ Defense Under 35 U.S.C. § 271(e)(1) [Docket No. 379];
3. Confidential Exhibit No. 7 to the Declaration of Mario Moore in Support of Plaintiff Amgen Inc.’s Motion to Preclude Further Interference with Third-Party Discovery and

Compel Production of Documents And Deposition Testimony, or in the Alternative, Motion to Strike Defendants' Defense Under 35 U.S.C. § 271(e)(1) [Docket No. 379];

4. Confidential Exhibit No. 8 to the Declaration of Mario Moore in Support of Plaintiff Amgen Inc.'s Motion to Preclude Further Interference with Third-Party Discovery and Compel Production of Documents And Deposition Testimony, or in the Alternative, Motion to Strike Defendants' Defense Under 35 U.S.C. § 271(e)(1) [Docket No. 379];

5. Confidential Exhibit No. 9 to the Declaration of Mario Moore in Support of Plaintiff Amgen Inc.'s Motion to Preclude Further Interference with Third-Party Discovery and Compel Production of Documents And Deposition Testimony, or in the Alternative, Motion to Strike Defendants' Defense Under 35 U.S.C. § 271(e)(1) [Docket No. 379];

6. Confidential Exhibit No. 10 to the Declaration of Mario Moore in Support of Plaintiff Amgen Inc.'s Motion to Preclude Further Interference with Third-Party Discovery and Compel Production of Documents And Deposition Testimony, or in the Alternative, Motion to Strike Defendants' Defense Under 35 U.S.C. § 271(e)(1) [Docket No. 379];

7. Confidential Exhibit No. 11 to the Declaration of Mario Moore in Support of Plaintiff Amgen Inc.'s Motion to Preclude Further Interference with Third-Party Discovery and Compel Production of Documents And Deposition Testimony, or in the Alternative, Motion to Strike Defendants' Defense Under 35 U.S.C. § 271(e)(1) [Docket No. 379];

8. Confidential Exhibit No. 12 to the Declaration of Mario Moore in Support of Plaintiff Amgen Inc.'s Motion to Preclude Further Interference with Third-Party Discovery and Compel Production of Documents And Deposition Testimony, or in the Alternative, Motion to Strike Defendants' Defense Under 35 U.S.C. § 271(e)(1) [Docket No. 379];

9. Confidential Exhibit No. 15 to the Declaration of Mario Moore in Support of Plaintiff Amgen Inc.'s Motion to Preclude Further Interference with Third-Party Discovery and Compel Production of Documents And Deposition Testimony, or in the Alternative, Motion to Strike Defendants' Defense Under 35 U.S.C. § 271(e)(1) [Docket No. 379];

10. Confidential Exhibit No. 16 to the Declaration of Mario Moore in Support of Plaintiff Amgen Inc.'s Motion to Preclude Further Interference with Third-Party Discovery and Compel Production of Documents And Deposition Testimony, or in the Alternative, Motion to Strike Defendants' Defense Under 35 U.S.C. § 271(e)(1) [Docket No. 379];

11. Confidential Exhibit No. 17 to the Declaration of Mario Moore in Support of Plaintiff Amgen Inc.'s Motion to Preclude Further Interference with Third-Party Discovery and Compel Production of Documents And Deposition Testimony, or in the Alternative, Motion to Strike Defendants' Defense Under 35 U.S.C. § 271(e)(1) [Docket No. 379];

12. Confidential Exhibit No. 18 to the Declaration of Mario Moore in Support of Plaintiff Amgen Inc.'s Motion to Preclude Further Interference with Third-Party Discovery and

Compel Production of Documents And Deposition Testimony, or in the Alternative, Motion to Strike Defendants' Defense Under 35 U.S.C. § 271(e)(1) [Docket No. 379];

13. Confidential Exhibit No. 28 to the Declaration of Mario Moore in Support of Plaintiff Amgen Inc.'s Motion to Preclude Further Interference with Third-Party Discovery and Compel Production of Documents And Deposition Testimony, or in the Alternative, Motion to Strike Defendants' Defense Under 35 U.S.C. § 271(e)(1) [Docket No. 379]; and

14. Confidential Exhibit No. 29 to the Declaration of Mario Moore in Support of Plaintiff Amgen Inc.'s Motion to Preclude Further Interference with Third-Party Discovery and Compel Production of Documents And Deposition Testimony, or in the Alternative, Motion to Strike Defendants' Defense Under 35 U.S.C. § 271(e)(1) [Docket No. 379].

These documents contain information designated as confidential by the defendants ("Roche").¹ Accordingly, pursuant to paragraph 14 of the Protective Order, Roche has four (4) Court days to seek leave of Court pursuant to Local Rule 7.2 if it seeks to have the Court deem such documents confidential.

¹ The documents listed herein are in addition to Exhibits 4, 13, 14, 23 and 24, which, as indicated on the Notice (Docket No. 380) filed with the Court on April 13, 2007, were previously served on Roche's counsel.

Dated: April 16, 2007

Respectfully Submitted,

AMGEN INC.,
By its 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 and paper copies will be sent to those indicated as non-registered participants on April 16, 2007.

/s/ Michael R. Gottfried

Michael R. Gottfried