

**Exhibit B**

David  
Cousineau /DC/US/KSFHH  
03/27/2007 05:45 PM

To "Mathie, BeLinda I." <belinda.mathie@kattenlaw.com>  
cc  
bcc Roche Email Repository@KSFHHNotes  
Subject Re: Summary of DaVita/Roche CTSA's

Belinda,

Thank you for sending me this document. Roche does not have a problem with you producing the document as is.

Best,  
David

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David L. Cousineau  
Kaye Scholer LLP  
901 Fifteenth St, NW  
Washington, D.C. 20005-2327  
Phone: 202/682-3617  
Fax: 202/414-0344

"Mathie, BeLinda I." <belinda.mathie@kattenlaw.com>



"Mathie, BeLinda I."  
<belinda.mathie@kattenlaw.com>  
03/27/2007 02:54 PM

To <DCousineau@kayescholer.com>  
cc "Kemnitz, Christian T." <christian.kemnitz@kattenlaw.com>  
Subject Summary of DaVita/Roche CTSA's

David,

Attached please find for your information the current version of the document we intend to produce to Amgen summarizing DaVita's clinical trial service agreements with Roche. You will note that the two protocols you believe are non-responsive, ML20336 and ML20338 are not listed. Chris will give you a call to discuss.

BeLinda I. Mathie  
Litigation Associate  
Katten Muchin Rosenman LLP  
525 West Monroe  
Chicago, Illinois 60661  
(312) 902-5283 (direct)  
(312) 577-4482 (fax)

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**CIRCULAR 230 DISCLOSURE:** Pursuant to Regulations Governing Practice Before the Internal Revenue Service, any tax advice contained herein is not intended or written to be used and cannot be used by a taxpayer for the purpose of avoiding tax penalties that may be imposed on the taxpayer.

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**NOTIFICATION:** Katten Muchin Rosenman LLP is an Illinois limited liability partnership that has elected to be governed by the Illinois Uniform Partnership Act(1997).

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(New) Summary of Clinical Trial Services Agreements Executed by DaVita with Roche.DOC

**Summary of Clinical Trial Services Agreements/SMO Clinical Trial Agreements Executed by DaVita with Roche**

<b>Protocol No.</b>	<b>Effective Date</b>	<b>Date Executed</b>	<b>Maximum Number of Patients</b>	<b>Expected Duration (Best Efforts Completion Date)</b>	<b>Exclusionary Provisions</b>
Protocol # BA17284	7/20/04	7/29/04	6	8/25/05	None
Rollover Study of 7/20/04 Agreement (Protocol #BH18387)	5/9/05	7/16/05	7	December 2006	None
Protocol # BA17284	9/7/04	10/7/04	6	8/25/05	None
Rollover Study of 9/7/04 Agreement (Protocol #BH18387)	7/15/05	7/19/05	3	December 2006	None

David  
Cousineau /DC/US/KSFHH  
03/29/2007 10:48 AM

To "Fishman, Deborah" <dfishman@daycasebeer.com>  
cc "Day, Rusty" <daylr@daycasebeer.com>; "Mark Hebert"  
<Hebert@fr.com>; jbrew@kayescholer.com; "Michael  
Kallus" <Kallus@fr.com>; "Krista Carter"  
bcc Roche Email Repository@KSFHHNotes  
Subject RE: Amgen/Roche: Fresenius's Document Production to  
Amgen

Dear Deborah,

We have explained our position on these points numerous times in correspondence with you and in briefs filed with the court. I do not see the point in belaboring this further.

I learned this morning that of the documents related to clinical trials Mark Hebert sent us, only one trial is ongoing. I passed this information on to Mark this morning and told him that Roche does not object to production of the documents related to the completed clinical trials. For the reasons set out in our prior correspondence, in briefs to the court, and in the court's orders, we maintain our objections to production of information related to the one ongoing clinical trial. We will similarly maintain this objection during the Fresenius deposition on Friday.

Your suspicions about Roche's motives are incorrect. We are simply trying to maintain the integrity of the court-imposed discovery limits. Furthermore, your selective quotation of the Model Rules is disingenuous. First, as Judge Young ruled, the information requested in your subpoena is not relevant (as required by your quote) to this case. Second, the model rule only pertains to instances where the attorney does not "reasonably believe[] that the person's interests will not be adversely affected by refraining from giving such information." Because Fresenius is a third-party whom Amgen is pressuring to produce irrelevant information, it is hard to imagine how Roche's communications to Fresenius's lawyer about the scope of relevant discovery adversely affects Fresenius's interests.

Thank you,  
David

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David L. Cousineau  
Kaye Scholer LLP  
901 Fifteenth St, NW  
Washington, D.C. 20005-2327  
Phone: 202/682-3617  
Fax: 202/414-0344

"Fishman, Deborah" <dfishman@daycasebeer.com>



"Fishman , Deborah "  
<dfishman @daycasebeer .c  
om>  
03/28/2007 10:28 PM

To <dcousineau@kayescholer.com>;  
<jbrew@kayescholer.com>  
cc "Michael Kallus" <Kallus@fr.com>; "Krista Carter"  
<krista\_carter51@hotmail.com>; "Mark Hebert"  
<Hebert@fr.com>; "Day, Rusty" <daylr@daycasebeer.com>  
Subject RE: Amgen/Roche: Fresenius's Document Production to  
Amgen

Dear David,