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William G. Gaede III
Attorney at Law
wgaede@mwe.com
650.813.5035

March 14, 2007

VIA FACSIMILE AND E-MAIL

Peter Fratangelo, Esq.
Kaye Scholer LLP
425 Park Avenue
New York, NY 10022-3598

Re: *Amgen Inc. v. F. Hoffmann-La Roche Ltd., et al.*
Case No. 05 Civ. 12237 WGY

Dear Peter:

I write to address your letters of March 12 and 13, 2007 to Deborah Fishman regarding Amgen's production of responsive documents from specific custodians. As acknowledged in the second of your letters, Amgen has produced relevant documents from the custodial files of several of the individuals that your first letter claimed were lacking. Specifically, for those individuals identified in your first letter, Amgen has produced in this litigation relevant custodial files from Serena Anderson, Peter Feldman, James Daly, Fred Manak, and Jeff Weisiger. While we did not locate numerous relevant documents in James Daly's custodial files, please note that Amgen produced more than 2,700 documents located in the custodial files of Mr. Daly's assistant Leanne Malstrom.

Many of the individuals listed in your March 12 letter are no longer employed at Amgen. Amgen has produced relevant legacy documents related to these individuals that it could locate on central servers. If custodial information was not collected at the time these legacy documents were initially collected, it is not now available. In addition, Joseph Baron is not an Amgen employee; Amgen does not have any custodial files for this individual.

Your March 12 letter complains that Amgen has not made complete production of documents related to Amgen's pegylation attempts of EPO, EPO analogues or NESP. Judge Young's Order of January 3, 2007 specifically excluded from discovery any pegylated proteins other than Peg-Epo. You thus have no basis for your request, and to Amgen's knowledge after a reasonable search, documents on pegylated EPO have been produced.

Finally, we do not understand your complaints regarding the lack of custodial files for individuals such as Scott Foraker and Stuart Mackey. Although these individuals may have knowledge of Amgen's product license agreement with Ortho Biotech, twice Judge Young has denied discovery into documents surrounding the agreement.

Peter Fratangelo, Esq.
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Please let me know if you wish to discuss this further.

Very truly yours,

A handwritten signature in black ink, appearing to read "Wm Gaede", written in a cursive style.

William G. Gaede, III

cc: Mike Gottfried, Esq.
Krista Carter, Esq.
Sandip H. Patel, Esq.