

# **EXHIBIT**

# **14**

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May 10, 2007

VIA E-MAIL & FACSIMILE

Thomas F. Fleming  
Kaye Scholer LLP  
425 Park Avenue  
New York, NY 10022-3598

Re: *Amgen Inc. v. F. Hoffman-LaRoche Ltd., et al. (05-CV-12237 WGY)*

Dear Tom:

I write to address certain points made in your May 4 letter to Deborah Fishman and to address the Second Supplemental Expert Report of John Lowe received on the night of Monday, May 8.

We are trying to understand Roche's basis for contending that it was "appropriate and proper" for Roche to submit six supplemental expert reports after the April 6 deadline set out under the scheduling order. Please cite the specific language in the Court's orders and explain how it provides Roche a basis to produce each of the six supplemental reports four and a half weeks after the April 6 expert report deadline.

We are also trying to understand what basis Roche has for submitting supplemental responses to interrogatories other than Interrogatory Nos. 9-11 after the April 2 close of fact discovery. Please cite the specific language in the Court's orders that Roche relies on as the basis for submitting its supplemental response to interrogatory no. 26 on May 1, nearly a month after the close of discovery. By what dates must Roche's responses to all interrogatories other than Interrogatory Nos. 9-11 be completed? Has Roche completed its supplementation of interrogatory responses based upon discovery produced to date?

Your May 4 letter suggests that Amgen has continued to produce discovery relevant to Roche's expert reports and interrogatory responses. Please identify each item of newly produced evidence in each supplemental expert report submitted in May and explain how it is that the same evidence could not have been included in the relevant April 6 Roche expert report.

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We look forward to your response.

Very truly yours,

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MM:jmp

cc: Peter Fratangelo  
Michele E. Moreland  
Mark Israelewicz