

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 STRIKE ROCHE'S NON-
INFRINGEMENT, INVALIDITY, AND INEQUITABLE CONDUCT ALLEGATIONS
DISCLOSED AFTER THE CLOSE OF FACT DISCOVERY OR, IN THE
ALTERNATIVE, MOTION FOR LEAVE TO SUPPLEMENT AMGEN'S EXPERT
REPORTS AND MOTION FOR PROTECTIVE ORDER TO POSTPONE
DEPOSITIONS OF CERTAIN WITNESSES**

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:

Confidential Appendix A to the Memorandum In Support Of Amgen Inc.’s Motion To Strike Roche’s Non-Infringement, Invalidity, And Inequitable Conduct Allegations Disclosed After The Close Of Fact Discovery Or, In The Alternative, Motion For Leave To Supplement Amgen’s Expert Reports And Motion For Protective Order To Postpone Depositions Of Certain Witnesses; and

Confidential Exhibits Nos. 4-10 To Declaration Of Mario Moore In Support Of Amgen Inc.’s Motion To Strike Roche’s Non-Infringement, Invalidity, And Inequitable Conduct Allegations Disclosed After The Close Of Fact Discovery Or, In The Alternative, Motion For Leave To Supplement Amgen’s Expert Reports And Motion For Protective Order To Postpone Depositions Of Certain Witnesses.

These documents contain information designated as confidential by the defendants (“Roche”). 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.

Dated: May 24, 2007

Respectfully Submitted,

AMGEN INC.,
By its attorneys,

Of Counsel:

Stuart L. Watt
Wendy A. Whiteford
Monique L. Cordray
Darrell G. Dotson
Kimberlin L. Morley
Erica S. Olson
AMGEN INC.
One Amgen Center Drive
Thousand Oaks, CA 91320-1789
(805) 447-5000

/s/ Michael R. Gottfried

D. Dennis Allegretti (BBO#545511)
Michael R. Gottfried (BBO# 542156)
Patricia R. Rich (BBO# 640578)
DUANE MORRIS LLP
470 Atlantic Avenue, Suite 500
Boston, MA 02210
Telephone: (617) 289-9200
Facsimile: (617) 289-9201

Lloyd R. Day, Jr.
DAY CASEBEER, MADRID & BATCHELDER
LLP
20300 Stevens Creek Boulevard, Suite 400
Cupertino, CA 95014
Telephone: (408) 873-0110
Facsimile: (408) 873-0220

William Gaede III
McDERMOTT WILL & EMERY
3150 Porter Drive
Palo Alto, CA 94304
Telephone: (650) 813-5000
Facsimile: (650) 813-5100

Michael F. Borun
Kevin M. Flowers
MARSHALL, GERSTEIN & BORUN LLP
233 South Wacker Drive
6300 Sears Tower
Chicago, IL 60606
Telephone: (312) 474-6300
Facsimile: (312) 474-0448

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 May 24, 2007.

/s/ Michael R. Gottfried

Michael R. Gottfried