

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMGEN INC.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION No.: 05-cv-12237WGY
)	
)	
F. HOFFMANN-LA ROCHE LTD,)	
ROCHE DIAGNOSTICS GmbH,)	
and HOFFMANN-LA ROCHE INC.,)	
)	
Defendants.)	
)	
)	

**STIPULATION REGARDING CONFIDENTIAL ROCHE DOCUMENTS
SUBMITTED BY AMGEN FOR *IN CAMERA* REVIEW ON MAY 24, 2007
IN CONNECTION WITH AMGEN’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**

Plaintiff Amgen Inc. (“Amgen”) and Defendants F. Hoffmann-La Roche Ltd, Roche Diagnostics GmbH, and Hoffmann-La Roche Inc. (collectively “Roche”) (collectively, “the parties”) stipulate and agree as follows:

1. Amgen submitted confidential Roche documents to the Court for *in camera* review on May 24, 2007 which correspond to Exhibits 4-10 of Amgen’s Declaration of Mario Moore 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 (Docket No. 447).

2. The parties agree to extend the time by three additional Court days for Roche to file a motion to file under seal documents containing Roche's confidential and trade secret materials which are referenced in paragraph 1 above.

3. The deadline for Roche to file a motion to file under seal pursuant to the Protective Order is currently Thursday, May 31, 2007.

4. If granted, the deadline would be extended to Tuesday, June 5, 2007.

Dated: May 30, 2007
Boston, Massachusetts

Respectfully submitted,

PLAINTIFF AMGEN INC.

By its Attorneys,

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

/s/ Patricia R. Rich
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. (*pro hac vice*)
DAY CASEBEER MADRID &
BATCHELDER LLP
20300 Stevens Creek Boulevard, Suite
400
Cupertino, CA 95014
Telephone: (408) 873-0110
Facsimile: (408) 873-0220

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

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

DEFENDANTS F. HOFFMANN-LA
ROCHE LTD, ROCHE
DIAGNOSTICS GMBH, and
HOFFMANN-LA ROCHE INC.

By their Attorneys,

/s/ Nicole A. Rizzo
Lee Carl Bromberg (BBO# 058480)
Julia Huston (BBO# 562160)
Keith E. Toms (BBO# 663369)
Nicole A. Rizzo (BBO# 663853)
BROMBERG & SUNSTEIN LLP
125 Summer Street
Boston, MA 02110
Tel. (617) 443-9292
nrizzo@bromsun.com

Leora Ben-Ami (*pro hac vice*)
Mark S. Popofsky (*pro hac vice*)
Patricia A. Carson (*pro hac vice*)
Thomas F. Fleming (*pro hac vice*)
Howard S. Suh (*pro hac vice*)
Peter Fratangelo (BBO# 639775)
KAYE SCHOLER LLP
425 Park Avenue
New York, New York 10022
Tel. (212) 836-8000

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 (NEF) and paper copies will be sent to those indicated as non registered participants on the above date.

/s/ Nicole A. Rizzo
Nicole A. Rizzo

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