

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

AMGEN, INC.,

Plaintiff,

v.

F. HOFFMANN-LA ROCHE LTD, a Swiss
Company, ROCHE DIAGNOSTICS GmbH, a
German Company and HOFFMANN-LA ROCHE
INC., a New Jersey Corporation,

Defendants.

Civil Action No. 05-12237 WGY

U.S. District Judge Young

**CERTIFICATE PURSUANT TO LOCAL RULE 7.1 FOR DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT THAT CLAIM 10 OF THE '933 PATENT IS
INVALID ON THE GROUNDS OF FAILURE TO COMPLY WITH CLAIM
DIFFERENTIATION UNDER § 112, ¶ 4**

I certify that counsel for the parties have conferred in an attempt to resolve or narrow the issues presented by the Defendants' Motion for Summary Judgment that Claim 10 of the '933 Patent is Invalid on the Grounds of Failure to Comply with Claim Differentiation under § 112, ¶ 4 (Docket No. 473). No agreement could be reached.

Dated: June 11, 2007
Boston, Massachusetts

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

By its attorneys,

/s/ Keith E. Toms

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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/ Keith E. Toms

Keith E. Toms