

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 FOR SUMMARY JUDGMENT
OF INFRINGEMENT OF '422 CLAIM 1, '933 CLAIM 3 AND '698 CLAIM 6**

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 Version of the Memorandum In Support Of Amgen Inc.’s Motion For Summary Judgment Of Infringement Of ‘422 Claim 1, ‘933 Claim 3 And ‘698 Claim 6;

Confidential Version of the Statement Of Undisputed Material Facts In Support Of Amgen Inc.’s Motion For Summary Judgment Of Infringement Of ‘422 Claim 1, ‘933 Claim 3 And ‘698 Claim 6;

Confidential Version of the Declaration of Harvey F. Lodish, Ph.D. in Support of Amgen Inc.’s Motion For Summary Judgment Of Infringement Of ‘422 Claim 1, ‘933 Claim 3 And ‘698 Claim 6; and

Confidential Exhibits 1-25, 27-29, 32, 34-39, 41-59, 61-63 and 65-69 to the Declaration of Katie J.L. Scott in Support of Amgen Inc.’s Motion For Summary Judgment Of Infringement Of ‘422 Claim 1, ‘933 Claim 3 And ‘698 Claim 6¹.

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.

¹ Please note that exhibits 26, 30, 31, 33, 40, 60, 64 and 70 to Ms. Scott’s Declaration are public filings. Nonetheless, Amgen is filing them conventionally with the Court due to the large volume of documents and also to keep the exhibits in numerical order. We have also enclosed a CD Rom containing pdf scans of the public exhibits for the Court.

Dated: June 14, 2007

Respectfully Submitted,

AMGEN INC.,
By its attorneys,

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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 and paper copies will be sent to those indicated as non-registered participants on June 14, 2007.

/s/ Patricia R. Rich _____
Patricia R. Rich