

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMGEN, INC.
Plaintiff,
v.
F. HOFFMAN-LA ROCHE LTD., a Swiss
Company, ROCHE DIAGNOSTICS GmbH, a
German Company, and HOFFMAN-LA ROCHE
INC., a New Jersey Corporation
Defendants.
C.A. No. 05-12237-WGY

AMGEN'S MOTION FOR LEAVE TO FILE UNDER SEAL DOCUMENTS
CONTAINING AMGEN'S TRADE SECRETS AND SUBMITTED IN CONNECTION
WITH AMGEN'S MOTION FOR SUMMARY JUDGMENT ON ROCHE'S
ANTITRUST AND STATE LAW COUNTERCLAIMS

Pursuant to Local Rule 7.2 and the protective order, Plaintiff Amgen, Inc. ("Amgen") respectfully moves to file under seal documents which contain Amgen's confidential and trade secret information. The documents in question correspond to Exhibits 4, 5, 11, and 13 of Amgen's Motion for Summary Judgment on Roche's Antitrust and State Law Counterclaims and have been submitted to the Court for in camera review.

As explained more fully in the accompanying Memorandum, Amgen requests that the following exhibits be filed under seal, or that the information specifically noted below be redacted before those documents are filed in the public record:

- Ex. 4: the two number figures in line four of paragraph 8;
Ex. 5: the percentage number provided in the first line of footnote 322;
Ex. 11: the percentage number provided in the title of the top half of the table;

- Ex. 13: the second to last sentence of paragraph 78 and that the percentage numbers provided in footnote 174.

This information constitutes confidential trade secret information and should not be disclosed in the public record. As grounds for this motion, Amgen relies on the accompanying Memorandum and Declaration of Fred Manak, Amgen's Executive Director of Trade, Pricing, and Contract Management.

CERTIFICATE PURSUANT TO LOCAL RULE 7.1

I certify that counsel for the parties have conferred in an attempt to resolve or narrow the issues that are the subject of this motion and that no agreement could be reached.

/s/ Michael R. Gottfried

Michael R. Gottfried

Dated: June 15, 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.

/s/ Michael R. Gottfried _____

Michael R. Gottfried

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