

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.)	
_____)	

**NOTICE OF SERVICE OF CONFIDENTIAL DOCUMENTS
TO BE FILED IN SUPPORT OF ROCHE’S OPPOSITION TO AMGEN’S
MOTION FOR SUMMARY JUDGMENT ON ROCHE’S ANTITRUST AND STATE
LAW COUNTERCLAIMS**

Defendants F. Hoffmann-La Roche Ltd, Roche Diagnostics GmbH and Hoffmann-La Roche Inc. (collectively, “Roche”) hereby certify, pursuant to the Protective Order dated February 7, 2007 [docket #274], that it will serve on June 22, 2007, via overnight mail, on plaintiff Amgen Inc.’s (“Amgen”) counsel, Deborah Fishman at Day Casebeer Madrid & Batchelder LLP, the following documents which the parties and third parties have identified as confidential:

- Confidential Exhibits 6, 7, 8, 9, 10, 11, 12, 21, 27, 30, 31, 32, 34, 38, 39, 40, 43, 45, 46, 47, 48, 49, 64, 78, 79, 80, 81, 82, 83, 84, 85, 89, 121, 122, 124, 125, 126, 127, 139, 140, 157, 158, 159, 160, 161, 162, 163, 166, 167, 185, 204, 214, 215, 219, 220, 222, 223, 229, 232, 233, 244, 245, 249, 250, 251, and 253 to the Declaration of David L. Cousineau in Support of Roche’s Opposition to Amgen’s Motion for Summary Judgment on Roche’s Antitrust and State Law Counterclaims. These Exhibits have been designated confidential by Roche;
- Confidential Exhibits 2, 4, 5, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 28, 29, 33, 35, 36, 37, 41, 42, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 65, 66, 67, 68, 71, 74, 75, 87, 88, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 120, 123, 128, 129,

130, 131, 132, 133, 134, 135, 136, 137, 138, 141, 142, 143, 144, 146, 147, 148, 149, 150, 151, 152, 153, 154, 165, 168, 169, 170, 171, 172, 173, 174, 175, 177, 179, 180, 181, 182, 184, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 197, 198, 200, 201, 202, 203, 205, 206, 207, 209, 211, 212, 213, 216, 217, 218, 224, 225, 226, 228, 230, 231, 234, 237, 238, 239, 241, 242, 243, 246, 247, 252, 254, and 256 to the Declaration of David L. Cousineau in Support of Roche's Opposition to Amgen's Motion for Summary Judgment on Roche's Antitrust and State Law Counterclaims. These Exhibits have been designated confidential by Amgen;

3. Confidential Exhibits 3, 69, 70, 72, 73, 76, 77, 86, 178, 208, and 210 to the Declaration of David L. Cousineau in Support of Roche's Opposition to Amgen's Motion for Summary Judgment on Roche's Antitrust and State Law Counterclaims. These Exhibits have been designated confidential by third parties.
4. Confidential version of Roche's Memorandum in Opposition to Amgen's Motion for Summary Judgment on Roche's Antitrust and State Law Counterclaims. These reference confidential information in one or more of the Exhibits listed in paragraphs 1-3 above.
5. Confidential version of Roche's Response to Amgen's Statement of Undisputed Material Fact Pursuant to Local Rule 56.1. These portions reference confidential information in one or more of the Exhibits listed in paragraphs 1-3 above.
6. Confidential version of the Declaration of Susan Graf and Exhibit A thereto. This document references confidential information in one or more of the Exhibits listed in paragraphs 1-3 above.
7. Confidential version of the Declaration of Steven Platt. This document references confidential information in one or more of the Exhibits listed in paragraphs 1-3 above.
8. Confidential version of the Declaration of Sonders Beimfohr. This document references confidential information in one or more of the Exhibits listed in paragraphs 1-3 above.

The parties have designated these documents as confidential and accordingly, Roche hereby submits these documents for in camera inspection pursuant to the Protective Order. Pursuant to stipulation of the parties, both parties have until July 14, 2007 to seek leave of Court pursuant to Local Rule 7.2 if they seeks to have the Court deem such documents confidential and require their filing under seal.

Dated: June 29, 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 June 29, 2007.

/s/ Keith E. Toms

Keith E. Toms