

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.)	
_____)	

**CONFIDENTIAL EXHIBIT D TO THE DECLARATION OF PETER
FRATANGELO, ESQ. IN SUPPORT OF ROCHE’S MOTION FOR SUMMARY
JUDGMENT THAT CLAIM 1 OF PATENT NO. 5,995,422 IS INVALID FOR
INDEFINITENESS AND LACK OF WRITTEN DESCRIPTION**

The filing of this allegedly confidential exhibit has been deferred pursuant to the provisions of the Protective Order entered on 2/7/07 (Docket No. 274).

Dated: July 3, 2007
Boston, Massachusetts

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

By their attorneys,

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