

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
AMGEN INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>C.A. NO.: 05-12237-WGY</b>
	)	
F. HOFFMANN-LAROCHE	)	
LTD., a Swiss Company, ROCHE	)	
DIAGNOSTICS GmbH, a German	)	
Company and HOFFMANN LAROCHE	)	
INC., a New Jersey Corporation,	)	
	)	
Defendants.	)	
_____	)	

**NOTICE OF SERVICE OF CONFIDENTIAL DOCUMENTS TO BE FILED IN  
SUPPORT OF PLAINTIFF AMGEN INC.'S OPPOSITION TO ROCHE'S MOTION  
FOR SUMMARY JUDGMENT THAT CLAIM 7 OF THE '349 PATENT IS INVALID  
UNDER 35 USC § 112 AND IS NOT INFRINGED**

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 Exhibits 5, 11, 14, 18, 36-37, 40-43, 45-46 and 48-52 to the Declaration of Cullen N. Pendleton in Support of Amgen's Opposition to Roche's Motion for Summary Judgment that Claim 7 of the '349 Patent is Invalid Under 35 USC § 112 and is Not Infringed.**

These documents contain information designated as confidential by the defendants ("Roche") and a third-party. Accordingly, pursuant to paragraph 14 of the Protective Order, Roche and the third-party each have four (4) Court days to seek leave of Court pursuant to Local Rule 7.2 if they seek to have the Court deem such documents confidential.

Dated: July 5, 2007

Respectfully Submitted,

AMGEN INC.,  
By its attorneys,

Of Counsel:

Stuart L. Watt  
Wendy A. Whiteford  
Monique L. Cordray  
Darrell G. Dotson  
Kimberlin L. Morley  
Erica S. Olson  
AMGEN INC.  
One Amgen Center Drive  
Thousand Oaks, CA 91320-1789  
(805) 447-5000

/s/ Michael R. Gottfried  
D. Dennis Allegretti (BBO#545511)  
Michael R. Gottfried (BBO# 542156)  
Patricia R. Rich (BBO# 640578)  
DUANE MORRIS LLP  
470 Atlantic Avenue, Suite 500  
Boston, MA 02210  
Telephone: (617) 289-9200  
Facsimile: (617) 289-9201

Lloyd R. Day, Jr. (*pro hac vice*)  
DAY CASEBEER, MADRID & BATCHELDER  
LLP  
20300 Stevens Creek Boulevard, Suite 400  
Cupertino, CA 95014  
Telephone: (408) 873-0110  
Facsimile: (408) 873-0220

William Gaede III (*pro hac vice*)  
McDERMOTT WILL & EMERY  
3150 Porter Drive  
Palo Alto, CA 94304  
Telephone: (650) 813-5000  
Facsimile: (650) 813-5100

Kevin M. Flowers (*pro hac vice*)  
MARSHALL, GERSTEIN & BORUN LLP  
233 South Wacker Drive  
6300 Sears Tower  
Chicago, IL 60606  
Telephone: (312) 474-6300  
Facsimile: (312) 474-0448

**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 July 5, 2007.

*/s/ Michael R. Gottfried*  
Michael R. Gottfried