

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 TO
EXCLUDE THE EXPERT TESTIMONY OF LAUREN J. STIROH**

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 July 12, 2007, via hand delivery on plaintiff Amgen Inc.’s (“Amgen”) counsel, Michael Gottfried at Duane Morris LLP, and via overnight delivery, on Amgen’s counsel, Deborah Fishman at Day Casebeer Madrid & Batchelder LLP, the following documents which Amgen, DaVita, Inc., and Fresenius Medical Care North America (not Roche) has identified as confidential:

1. Exhibits 4-15, 19-24, 26, 27, 30, 32-37, 39, and 41-44 of the Declaration of Manvin S. Mayell in Support of Roche’s Memorandum in Opposition to Amgne’s Motion to Exclude the Expert Testimony of Lauren J. Stiroh.
2. Confidential version of Roche’s Memorandum in Opposition to Amgen’s Motion to Exclude the Expert Testimony of Lauren J. Stiroh.

Amgen, DaVita, Inc. and Fresenius Medical Care North America has designated these documents as confidential and has not agreed to Roche’s request to file the documents in the

public record. Accordingly, Roche hereby submits these documents for *in camera* inspection pursuant to the Protective Order.

Pursuant to paragraph 14 of the Protective Order, Amgen or DaVita or Fresenius 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 and require their filing under seal. Roche will oppose any such motion within two (2) days.

Dated: July 12, 2007
Boston, Massachusetts

Respectfully submitted,

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

By their 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 the above date.

/s/ Keith E. Toms

Keith E. Toms

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