

07/05/2007 15:27 FAX

002/057

EXHIBIT EDAY CASEBEER
MADRID & BATCHELDER LLP20300 Stevens Creek Blvd., Suite 400
Cupertino, CA 95014
Telephone: (408) 873-0110
Facsimile: (408) 873-0220David M. Madrid
(408) 342-4563
madridm@daycasebeer.com

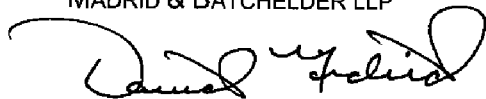
July 5, 2007

VIA E-MAIL & FACSIMILEThomas F. Fleming
Kaye Scholer LLP
425 Park Avenue
New York, NY 10022-3598**Re: *Amgen Inc. v. F. Hoffman-LaRoche Ltd., et al.***
Civil Action No. 05-CV-12237 WGY

Dear Mr. Fleming:

Please be advised that due to Dr. Eschbach's present condition, he will be unable to participate in this litigation. As you know, given his unusually diverse experience and expertise, Dr. Eschbach was to address various different topics, including but not limited to the putative prior art references raised by Roche, objective evidence of non-obviousness, and the matters raised by Dr. Spinowitz. Consequently, in order to address those various different topics, Amgen will proffer Eli Friedman, M.D., Carlo Brugnara, M.D. as expert witnesses and Nancy Spaeth, RN on certain factual matters (*see* Amgen's Third Supplemental Rule 26(a) Statement). Attached are the current *curricula vitae* of Drs. Friedman and Brugnara and their executed agreements to abide by the Protective Order. Please advise Deborah Fishman as to whether Roche will waive the 10-day provision of paragraph 13 of the parties' Protective Order for Drs. Friedman and Brugnara in order to expedite preparation and completion of their expert reports.

Sincerely,

DAY CASEBEER
MADRID & BATCHELDER LLP

David M. Madrid

Enclosures

cc: Michele Moreland
Peter Fratangelo
Mark Izraelewicz

729639_1.doc