

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMGEN INC.,)
)
 Plaintiff,)
)
 v.)
)
 F. HOFFMANN-LA ROCHE LTD)
 ROCHE DIAGNOSTICS GmbH)
 and HOFFMANN-LA ROCHE INC.)
)
 Defendants.)

CIVIL ACTION No.: 05-CV-12237WGY

**NOTICE OF SERVICE OF CONFIDENTIAL AMGEN DOCUMENTS
TO BE FILED IN SUPPORT OF SUPPLEMENTAL DECLARATION OF DAVID L.
COUSINEAU IN FURTHER 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 July 16, 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 (not Roche) has identified as confidential:

Confidential Exhibits 257 and 259-261 to the Supplemental Declaration of David L. Cousineau in Further Support of Roche’s Opposition to Amgen’s Motion to Summary Judgment on Roche’s Antitrust and State Law Counterclaims.

Amgen has designated these documents as confidential and accordingly, Roche hereby submits these documents for *in camera* inspection pursuant to the Protective Order. It is

necessary for the Court to review these documents, as they contain important facts and admissions that are highly relevant to the present motion for summary judgment.

Pursuant to paragraph 14 of the Protective Order, Amgen 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.

Dated: July 16, 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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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/ Kimberly J. Seluga
Kimberly J. Seluga

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