

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-12237 WGY

**DEFENDANTS' NOTICE OF FILING WITH CLERK'S OFFICE OF EXHIBITS
PREVIOUSLY SUBMITTED IN SUPPORT OF ROCHE'S OPPOSITION TO AMGEN'S
MOTION FOR SUMMARY JUDGMENT ON THE ANTITRUST AND STATE LAW
COUNTERCLAIMS**

Pursuant to CMF/ECF Administrative Procedures Rule M(6), notice is hereby given that the exhibits listed below to the Declaration of David L. Cousineau (DN 559) and the Supplemental Declaration of David L. Cousineau (DN 745) in Support of Roche's Opposition to Amgen's Motion for Summary Judgment on Roche's Antitrust and State Law Counterclaims have been manually filed with the Court and are available in paper form only.¹ The original documents are maintained in the case file in the Clerk's Office.

- Exhibit 1 Excerpts from Exhibit 11 to the March 27, 2007 deposition of Kevin Sharer.
- Exhibit 2 Excerpts from document bates stamped AM44 0218744 - AM44 0219776 as produced in the course of this litigation by Amgen.
- Exhibit 3 Excerpts from the March 9, 2007 transcript of the deposition of Maureen Michael.
- Exhibit 4 Excerpts from the March 20, 2007 transcript of the deposition of Helen Torley.

¹ The original exhibits to the Declaration and Supplemental Declaration of David L. Cousineau were previously filed and/or submitted to the Court for *in camera* review on June 29, 2007 and July 16, 2007 respectively, and in some instances have been amended to omit portions unnecessary for the Court's determination of the present motion.

- Exhibit 5 Excerpts from document bates stamped AM44 0215886 - AM44 0215888 as produced in the course of this litigation by Amgen.
- Exhibit 6 Excerpts from document bates stamped ITC-R-BLA-00000194 - ITC-R-BLA-00000691 as produced in the course of this litigation by Roche.
- Exhibit 7 Excerpts from the May 11, 2007 Expert Report of Steven Fishbane.
- Exhibit 8 Excerpts from the March 22, 2007 transcript of the deposition of George Abercrombie.
- Exhibit 9 Intentionally left blank.
- Exhibit 10 Excerpts from the March 13, 2007 transcript of the deposition of Suzann Duncan.
- Exhibit 11 Excerpts from the March 20, 2007 transcript of the deposition of Sonders Beimfohr.
- Exhibit 12 Declaration of Sonders Beimfohr.
- Exhibit 13 Excerpts from document bates stamped AM44 0087234 - AM44 0087267 as produced in the course of this litigation by Amgen.
- Exhibit 14 Excerpts from document bates stamped AM44 0245613 - AM44 0245622 as produced in the course of this litigation by Amgen.
- Exhibit 15 Excerpts from document bates stamped AM44 0208076 - AM44 0208088 as produced in the course of this litigation by Amgen.
- Exhibit 16 Excerpts from document bates stamped AM44 1437916 - AM44 1437931 as produced in the course of this litigation by Amgen.
- Exhibit 17 Excerpts from document bates stamped AM44 0715533 - AM44 0715534 as produced in the course of this litigation by Amgen.
- Exhibit 18 Excerpts from document bates stamped AM44 1440662 - AM44 1440694 as produced in the course of this litigation by Amgen.
- Exhibit 19 Excerpts from document bates stamped AM44 0216383 - AM44 0216441 as produced in the course of this litigation by Amgen.
- Exhibit 20 Excerpts from document bates stamped AM44 1421485 - AM44 1421500 as produced in the course of this litigation by Amgen.
- Exhibit 21 Excerpts from the May 11, 2007 Expert Rebuttal Report of B. Douglas Bernheim.
- Exhibit 22 Excerpts from document bates stamped AM44 0007603 - AM44 0007623 as

produced in the course of this litigation by Amgen.

Exhibit 23 Excerpts from document bates stamped AM44 0200967 - AM44 0200989 as produced in the course of this litigation by Amgen.

Exhibit 24 Excerpts from document bates stamped AM44 1951328 - AM44 1951333 as produced in the course of this litigation by Amgen.

Exhibit 25 Excerpts from document bates stamped AM44 1951353 - AM44 1951359 as produced in the course of this litigation by Amgen.

Exhibit 26 Excerpts from document bates stamped AM44 0007126 - AM44 0007166 as produced in the course of this litigation by Amgen.

Exhibit 27 Excerpts from the April 6, 2007 Expert Report of B. Douglas Bernheim.

Exhibit 28 Excerpts from document bates stamped AM44 0185363 - AM44 0185363 as produced in the course of this litigation by Amgen.

Exhibit 29 Excerpts from document bates stamped AM44 0185364 - AM44 0185365 as produced in the course of this litigation by Amgen.

Exhibit 30 Excerpts from the May 11, 2007 Expert Rebuttal Report of Einer Elhauge.

Exhibit 31 Excerpts from Microsoft Excel Spreadsheet bates stamped R11-000517435, Institutional Provider Worksheet as produced in the course of this litigation by Roche.

Exhibit 32 Intentionally left blank.

Exhibit 33 Excerpts from document bates stamped AM44 0007312 - AM44 0007371 as produced in the course of this litigation by Amgen.

Exhibit 34 Excerpts from document bates stamped R11-000638018 - R11-000638237 as produced in the course of this litigation by Roche.

Exhibit 35 Excerpts from document bates stamped AM44 0242607 - AM44 0242647 as produced in the course of this litigation by Amgen.

Exhibit 36 Excerpts from document bates stamped AM44 0236640 - AM44 0236699 as produced in the course of this litigation by Amgen.

Exhibit 37 Document bates stamped AM44 0007167 - AM44 007191 as produced in the course of this litigation by Amgen.

Exhibit 38 Excerpts from document bates stamped R10-000719872 - R10-000719953 as produced in the course of this litigation by Roche.

- Exhibit 39 Excerpts from the March 16, 2007 transcript of the deposition of Susan Graf.
- Exhibit 40 Intentionally left blank.
- Exhibit 41 Excerpts from a Microsoft Excel Spreadsheet entitled ASP Model_v133 (native file) EpoLEDR Worksheet as produced in the course of this litigation by Amgen.
- Exhibit 42 Excerpts from document bates stamped AM44 1951186 - AM44 1951187 as produced in the course of this litigation by Amgen.
- Exhibit 43 Excerpts from a Microsoft Excel Spreadsheet bates stamped R005181636, 5-SDI analysis as produced in the course of this litigation by Roche.
- Exhibit 44 Excerpts from a document entitled “GAO-07-77 End Stage Renal Disease Bundling Medicare’s Payment for Drugs with Payment for All ESRD Services would Promote Efficiency and Clinical Flexibility.”
- Exhibit 45 Declaration of Steve Platt.
- Exhibit 46 Declaration of Susan Graf.
- Exhibit 47 Excerpts from the March 30, 2007 transcript of the deposition of Richard Hinson.
- Exhibit 48 Excerpts from Defendant’s First Supplemental Responses and Objections to Plaintiff Amgen Inc.’s Second Set of Interrogatories (Nos. 16-25) as served in the course of this litigation by Roche.
- Exhibit 49 Excerpts from the May 25, 2007 transcript of the deposition of Einer Elhauge.
- Exhibit 50 Excerpts from document bates stamped AM44 0011388 - AM44 0011416 as produced in the course of this litigation by Amgen.
- Exhibit 51 Excerpts from document bates stamped AM44 0094966 - AM44 0095013 as produced in the course of this litigation by Amgen.
- Exhibit 52 Excerpts from the March 22, 2007 transcript of the deposition of Alex Lyons.
- Exhibit 53 Excerpts from document bates stamped AM44 0006952 - AM44 0006987 as produced in the course of this litigation by Amgen.
- Exhibit 54 Excerpts from document bates stamped AM44 0664015 - AM44 0664020 as produced in the course of this litigation by Amgen.
- Exhibit 55 Excerpts from document bates stamped AM44 0061052 - AM44 0061053 as produced in the course of this litigation by Amgen.
- Exhibit 56 Excerpts from document bates stamped AM44 0007864 - AM44 0007933 as produced in the course of this litigation by Amgen.

- Exhibit 57 Excerpts from document bates stamped AM44 0392145 - AM44 0392211 as produced in the course of this litigation by Amgen.
- Exhibit 58 Excerpts from document bates stamped AM44 1516870 - AM44 1516870 as produced in the course of this litigation by Amgen.
- Exhibit 59 Document bates stamped AM44 1934908 as produced in the course of this litigation by Amgen.
- Exhibit 60 Excerpts from document bates stamped AM44 1951163 - AM44 1951164 as produced in the course of this litigation by Amgen.
- Exhibit 61 Excerpts from the March 27, 2007 transcript of the deposition of Kevin Sharer.
- Exhibit 62 Excerpts from the March 26, 2007 transcript of the deposition of George Morrow.
- Exhibit 63 Excerpts from document bates stamped AM44 1027895 - AM44 1027896 as produced in the course of this litigation by Amgen.
- Exhibit 64 Excerpts from the Expert Report of David J. Teece.
- Exhibit 65 Excerpts from document bates stamped AM44 1513443 - AM44 1513461 as produced in the course of this litigation by Amgen.
- Exhibit 66 Excerpts from document bates stamped AM44 1513464 - AM44 1513470 as produced in the course of this litigation by Amgen.
- Exhibit 67 Excerpts from the April 2, 2007 transcript of the deposition of Leslie Mirani.
- Exhibit 68 Excerpts from document bates stamped AM44 0231755 - AM44 0231777 as produced in the course of this litigation by Amgen.
- Exhibit 69 Excerpts from the March 30, 2007 transcript of the deposition of Robert McGorty.
- Exhibit 70 Excerpts from document bates stamped FMCNA 002516 - FMCNA 002539 as produced in response to a subpoena in the course of this litigation by Fresenius.
- Exhibit 71 Document bates stamped AM44 1934907 as produced in the course of this litigation by Amgen.
- Exhibit 72 Excerpts from the March 27, 2007 transcript of the deposition of Tracey Mooney.
- Exhibit 73 Excerpts from the April 2, 2007 transcript of the deposition of Dennis Kogod.
- Exhibit 74 Excerpts from the March 30, 2007 transcript of the deposition of Robert Brenner.
- Exhibit 75 Excerpts from document bates stamped AM44 0188476 - AM44 0188516 as

produced in the course of this litigation by Amgen.

- Exhibit 76 Excerpts from document bates stamped FMCNA 000001 - FMCNA 000047 as produced in response to a subpoena in the course of this litigation by Fresenius.
- Exhibit 77 Excerpts from document bates stamped FMCNA 002485 - FMCNA 002491 as produced in response to a subpoena in the course of this litigation by Fresenius.
- Exhibit 78 Excerpts from document bates stamped R10-000112381 - R10-000112384 as produced in the course of this litigation by Roche.
- Exhibit 79 Intentionally left blank.
- Exhibit 80 Document bates stamped R10-004721744 - R10-004721763 as produced in the course of this litigation by Roche.
- Exhibit 81 Excerpts from document bates stamped R10-003516218 - R10-003516244 as produced in the course of this litigation by Roche.
- Exhibit 82 Excerpts from document bates stamped R10-000814800 - R10-000814844 as produced in the course of this litigation by Roche.
- Exhibit 83 Excerpts from the March 14, 2007 transcript of the deposition of John Keefe.
- Exhibit 84 Excerpts from the March 15, 2007 transcript of the deposition of Chrys Kokino.
- Exhibit 85 Withheld from filing due to a potential motion to seal by third parties Fresenius Medical Care North America and/or DaVita, Inc. Roche reserves the right to supplement the public filing with this document.
- Exhibit 86 Document bates stamped FMCNA 002859 as produced in response to a subpoena in the course of this litigation by Fresenius.
- Exhibit 87 Excerpts from document bates stamped AM44 0533506 - AM44 0533538 as produced in the course of this litigation by Amgen.
- Exhibit 88 Excerpts from document bates stamped AM44 1910640 - AM44 1910686 as produced in the course of this litigation by Amgen.
- Exhibit 89 Excerpts from the June 7, 2007 transcript of the deposition of David Teece.
- Exhibit 90 Excerpts from documents bases stamped AM44 00000986 - AM44 00000987 as produced in the course of this litigation by Amgen.
- Exhibit 91 Excerpts from document bates stamped AM44 0000986 - AM44 0000987 as produced in the course of this litigation by Amgen.
- Exhibit 92 Excerpts from document bates stamped AM44 0309732 - AM44 0309733 as

produced in the course of this litigation by Amgen.

- Exhibit 93 Document bates stamped AM44 0104161 as produced in the course of this litigation by Amgen.
- Exhibit 94 Excerpts from document bates stamped AM44 0045149 - AM44 0045208 as produced in the course of this litigation by Amgen.
- Exhibit 95 Excerpts from document bates stamped AM44 0265693 - AM44 0265752 as produced in the course of this litigation by Amgen.
- Exhibit 96 Excerpts from document bates stamped AM44 0007721 - AM44 0007755 as produced in the course of this litigation by Amgen.
- Exhibit 97 Excerpts from document bates stamped AM44 0727620 - AM44 0727639 as produced in the course of this litigation by Amgen.
- Exhibit 98 Intentionally Left Blank.
- Exhibit 99 Excerpts from the March 28, 2007 transcript of the deposition of Fred Manak.
- Exhibit 100 Excerpts from document bates stamped AM44 0095167 - AM44 0095175 as produced in the course of this litigation by Amgen.
- Exhibit 101 Excerpts from document bates stamped AM44 0019536 - AM44 0019596 as produced in the course of this litigation by Amgen.
- Exhibit 102 Excerpts from document bates stamped AM44 0095176 - AM44 0095180 as produced in the course of this litigation by Amgen.
- Exhibit 103 Document bates stamped AM44 0123862 as produced in the course of this litigation by Amgen.
- Exhibit 104 Excerpts from document bates stamped AM44 0393892 - AM44 0393909 as produced in the course of this litigation by Amgen.
- Exhibit 105 Excerpts from document bates stamped AM44 1583727 - AM44 1583733 as produced in the course of this litigation by Amgen.
- Exhibit 106 Excerpts from document bates stamped AM44 1532833 - AM44 1532857 as produced in the course of this litigation by Amgen.
- Exhibit 107 Document bates stamped AM44 1970278 as produced in the course of this litigation by Amgen.
- Exhibit 108 Excerpts from document bates stamped AM44 0125608 - AM44 0125647 as produced in the course of this litigation by Amgen.

- Exhibit 109 Excerpts from document bates stamped AM44 2023589 - AM44 2023633 as produced in the course of this litigation by Amgen.
- Exhibit 110 Excerpts from document bates stamped AM44 0434172 - AM44 0434181 as produced in the course of this litigation by Amgen.
- Exhibit 111 Excerpts from document bates stamped AM44 0192555 - AM44 0192573 as produced in the course of this litigation by Amgen.
- Exhibit 112 Excerpts from document bates stamped AM44 1528356 - AM44 1528369 as produced in the course of this litigation by Amgen.
- Exhibit 113 Excerpts from document bates stamped AM44 1118690 - AM44 1118697 as produced in the course of this litigation by Amgen.
- Exhibit 114 Excerpts from document bates stamped AM44 0318370 - AM44 0318411 as produced in the course of this litigation by Amgen.
- Exhibit 115 Excerpts from document bates stamped AM44 1574952 - AM44 1574993 as produced in the course of this litigation by Amgen.
- Exhibit 116 Excerpts from document bates stamped AM44 1999994 - AM44 2000178 as produced in the course of this litigation by Amgen.
- Exhibit 117 Excerpts from document bates stamped AM47 078497 - AM47 078498 as produced in the course of this litigation by Amgen.
- Exhibit 118 Excerpts from document bates stamped AM47 080690 - AM47 080693 as produced in the course of this litigation by Amgen.
- Exhibit 119 Excerpts from document bates stamped AM47 091845 - AM47 091883 as produced in the course of this litigation by Amgen.
- Exhibit 120 Excerpts from document bates stamped AM44 0218813 - AM44 0218818 as produced in the course of this litigation by Amgen.
- Exhibit 121 Excerpts from document bates stamped R10-001238943 - R10-001238992 as produced in the course of this litigation by Roche.
- Exhibit 122 Excerpts from document bates stamped R10-001734584 - R10-001734629 as produced in the course of this litigation by Roche.
- Exhibit 123 Excerpts from document bates stamped AM44 0211096 - AM44 0211175 as produced in the course of this litigation by Amgen.
- Exhibit 124 Excerpts from document bates stamped R11-000637547 - R11-000637760 as produced in the course of this litigation by Roche.

- Exhibit 125 Excerpts from document bates stamped R005312290 - R005312412 as produced in the course of this litigation by Roche.
- Exhibit 126 Excerpts from the April 6, 2007 Expert Report of Lauren Stiroh.
- Exhibit 127 Excerpts from document bates stamped R005178638 - R005180083 as produced in the course of this litigation by Roche.
- Exhibit 127 Excerpts from document bates stamped R005178638 - R005180083 as produced in the course of this litigation by Roche.
- Exhibit 128 Document bates stamped AM44 1226831 as produced in the course of this litigation by Amgen.
- Exhibit 129 Excerpts from document bates stamped AM44 0192047 - AM44 0192078 as produced in the course of this litigation by Amgen.
- Exhibit 130 Excerpts from document bates stamped AM44 1517130 - AM44 1517136 as produced in the course of this litigation by Amgen.
- Exhibit 131 Excerpts from document bates stamped AM44 0237504 - AM44 0237548 as produced in the course of this litigation by Amgen.
- Exhibit 132 Excerpts from the March 27, 2007 transcript of the deposition of James Daly.
- Exhibit 133 Excerpts from document bates stamped AM-ITC 00189148 - AM-ITC 00189203 as produced in the course of this litigation by Amgen.
- Exhibit 134 Excerpts from document bates stamped AM-ITC 00101091 - AM-ITC 00101144 as produced in the course of this litigation by Amgen.
- Exhibit 135 Excerpts from document bates stamped AM44 1228092 - AM44 1228110 as produced in the course of this litigation by Amgen.
- Exhibit 136 Excerpts from document bates stamped AM44 1454320 - AM44 1454499 as produced in the course of this litigation by Amgen.
- Exhibit 137 Excerpts from document bates stamped AM44 1430229 - AM44 1430308 as produced in the course of this litigation by Amgen.
- Exhibit 138 Excerpts from document bates stamped AM44 0008143 - AM44 0008147 as produced in the course of this litigation by Amgen.
- Exhibit 139 Excerpts from document bates stamped R001477148 - R001477168 as produced in the course of this litigation by Roche.
- Exhibit 140 Excerpts from the May 30, 2007 transcript of the deposition of B. Douglas Bernheim.

- Exhibit 141 Excerpts from the March 27, 2007 transcript of the deposition of Philip Marinelli.
- Exhibit 142 Excerpts from document bates stamped AM44 0230289 - AM44 0230328 as produced in the course of this litigation by Amgen.
- Exhibit 143 Excerpts from document bates stamped AM47 093658 - AM47 039687 as produced in the course of this litigation by Amgen.
- Exhibit 144 Excerpts from document bates stamped AM44 0017982 - AM44 0017983 as produced in the course of this litigation by Amgen.
- Exhibit 145 Document bates stamped AM44 0117980 as produced in the course of this litigation by Amgen.
- Exhibit 146 Excerpts from document bates stamped AM44 0204184 - AM44 0204222 as produced in the course of this litigation by Amgen.
- Exhibit 147 Excerpts from document bates stamped AM44 0289735 - AM44 0289739 as produced in the course of this litigation by Amgen.
- Exhibit 148 Excerpts from document bates stamped AM44 0439677 - AM44 0439693 as produced in the course of this litigation by Amgen.
- Exhibit 149 Excerpts from document bates stamped AM44 1083239 - AM44 1083259 as produced in the course of this litigation by Amgen.
- Exhibit 150 Excerpts from document bates stamped AM44 1444222 - AM44 1444226 as produced in the course of this litigation by Amgen.
- Exhibit 151 Excerpts from document bates stamped AM44 1947819 - AM44 1947820 as produced in the course of this litigation by Amgen.
- Exhibit 152 Excerpts from document bates stamped AM47 083947 - AM47 083966 as produced in the course of this litigation by Amgen.
- Exhibit 153 Excerpts from document bates stamped AM44 0080103 - AM44 0080104 as produced in the course of this litigation by Amgen.
- Exhibit 154 Excerpts from document bates stamped AM-ITC 00252414 - AM-ITC 00252447 as produced in the course of this litigation by Amgen.
- Exhibit 155 Document bates stamped AM44 0214446 as produced in the course of this litigation by Amgen.
- Exhibit 156 Excerpts from document bates stamped AM47 081187 - AM47 081201 as produced in the course of this litigation by Amgen.

- Exhibit 157 Intentionally left blank.
- Exhibit 158 Excerpts from document bates stamped R000232806 - R000232810 as produced in the course of this litigation by Roche.
- Exhibit 159 Excerpts from document bates stamped R001517649 - R001517700 as produced in the course of this litigation by Roche.
- Exhibit 160 Excerpts from document bates stamped R001958707 - R001958805 as produced in the course of this litigation by Roche.
- Exhibit 161 Document bates stamped R003680608 - R003680680 as produced in the course of this litigation by Roche.
- Exhibit 162 Intentionally left blank.
- Exhibit 163 Excerpts from document bates stamped R003917523 - R003917621 as produced in the course of this litigation by Roche.
- Exhibit 164 Excerpts from the Amgen 2006 10-K.
- Exhibit 165 Excerpts from document bates stamped AM44 0052389 - AM44 0052391 as produced in the course of this litigation by Amgen.
- Exhibit 166 Intentionally left blank.
- Exhibit 167 Intentionally left blank.
- Exhibit 168 Excerpts from document bates stamped AM44 0007093 - AM44 0007125 as produced in the course of this litigation by Amgen.
- Exhibit 169 Excerpts from document bates stamped AM44 0231710 - AM44 0231732 as produced in the course of this litigation by Amgen.
- Exhibit 170 Excerpts from document bates stamped AM44 1155642 - AM44 1155645 as produced in the course of this litigation by Amgen.
- Exhibit 171 Excerpts from document bates stamped AM44 0232880 - AM44 0232922 as produced in the course of this litigation by Amgen.
- Exhibit 172 Excerpts from document bates stamped AM44 0235091 - AM44 0235097 as produced in the course of this litigation by Amgen.
- Exhibit 173 Excerpts from document bates stamped AM44 0057336 - AM44 0057339 as produced in the course of this litigation by Amgen.
- Exhibit 174 Excerpts from document bates stamped AM44 0063320 - AM44 0063341 as produced in the course of this litigation by Amgen.

- Exhibit 175 Excerpts from document bates stamped AM44 0318004 - AM44 0318016 as produced in the course of this litigation by Amgen.
- Exhibit 176 Excerpts from document bates stamped AM47 062214 - AM47 062239 as produced in the course of this litigation by Amgen.
- Exhibit 177 Excerpts from document bates stamped AM44 1609537 - AM44 1609538 as produced in the course of this litigation by Amgen.
- Exhibit 178 Excerpts from the March 22, 2007 transcript of the deposition of Anthony Messana.
- Exhibit 179 Excerpts from document bates stamped AM44 1947821 as produced in the course of this litigation by Amgen.
- Exhibit 180 Document bates stamped AM44 0233655 as produced in the course of this litigation by Amgen.
- Exhibit 181 Excerpts from document bates stamped AM44 1905578 - AM44 1905647 as produced in the course of this litigation by Amgen.
- Exhibit 182 Excerpts from document bates stamped AM44 0133383 - AM44 0133416 as produced in the course of this litigation by Amgen.
- Exhibit 183 Excerpts from document bates stamped AM47 061346 - AM47 061347 as produced in the course of this litigation by Amgen.
- Exhibit 184 Excerpts from document bates stamped AM44 1335693 - AM44 1335706 as produced in the course of this litigation by Amgen.
- Exhibit 185 Excerpts from document bates stamped R11-000637988 - R11-000638017 as produced in the course of this litigation by Roche.
- Exhibit 186 Excerpts from document bates stamped AM44 0000036 - AM44 0000037 as produced in the course of this litigation by Amgen.
- Exhibit 187 Excerpts from document bates stamped AM44 0191198 - AM44 0191276 as produced in the course of this litigation by Amgen.
- Exhibit 188 Document bates stamped AM44 1223278 - AM44 1223286 as produced in the course of this litigation by Amgen.
- Exhibit 189 Excerpts from document bates stamped AM44 1925394 - AM44 1925413 as produced in the course of this litigation by Amgen.
- Exhibit 190 Excerpts from document bates stamped AM44 0000819 - AM44 0000850 as produced in the course of this litigation by Amgen.

- Exhibit 191 Excerpts from document bates stamped AM44 0245240 - AM44 0245267 as produced in the course of this litigation by Amgen.
- Exhibit 192 Excerpts from the March 23, 2007 transcript of the deposition of Robert Azelby.
- Exhibit 193 Excerpts from document bates stamped AM44 0009433 AM44 0009452 as produced in the course of this litigation by Amgen.
- Exhibit 194 Excerpts from document bates stamped AM44 0937196 - AM44 0937197 as produced in the course of this litigation by Amgen.
- Exhibit 195 Document bates stamped AM44 0163983 as produced in the course of this litigation by Amgen.
- Exhibit 196 Excerpts from document bates stamped AM44 0091390 - AM44 0091506 as produced in the course of this litigation by Amgen.
- Exhibit 197 Excerpts from document bates stamped AM44 0007385 - AM44 0007470 as produced in the course of this litigation by Amgen.
- Exhibit 198 Excerpts from document bates stamped AM44 0387704 - AM44 0387716 as produced in the course of this litigation by Amgen.
- Exhibit 199 Excerpts from document bates stamped AM44 0366107 - AM44 0366114 as produced in the course of this litigation by Amgen.
- Exhibit 200 Excerpts from document bates stamped AM44 1919049 - AM44 1919068 as produced in the course of this litigation by Amgen.
- Exhibit 201 Excerpts from document bates stamped AM44 0425505 - AM44 0425515 as produced in the course of this litigation by Amgen.
- Exhibit 202 Document bates stamped AM44 0230640 as produced in the course of this litigation by Amgen.
- Exhibit 203 Document bates stamped AM44 0230638 as produced in the course of this litigation by Amgen.
- Exhibit 204 Excerpts from document bates stamped R000250710 - R000250737 as produced in the course of this litigation by Roche.
- Exhibit 205 Excerpts from document bates stamped AM44 0230636 - AM44 0230637 as produced in the course of this litigation by Amgen.
- Exhibit 206 Excerpts from Plaintiff's Supplemental Response to Defendant's First Set of Interrogatories (No. 13) as served in the course of this litigation by Amgen.

- Exhibit 207 Document bates stamped AM44 0163985 as produced in the course of this litigation by Amgen.
- Exhibit 208 Document bates stamped DVA-ROCHE0000341 as produced in response to a subpoena in the course of this litigation by DaVita.
- Exhibit 209 Withheld from filing due to a potential motion to seal by third party DaVita, Inc. Roche reserves the right to supplement the public filing with this document.
- Exhibit 210 Intentionally left blank.
- Exhibit 211 Excerpts from document bates stamped AM44 0192447 - AM44 0192452 as produced in the course of this litigation by Amgen.
- Exhibit 212 Excerpts from document bates stamped AM44 1900596 - AM44 01900613 as produced in the course of this litigation by Amgen.
- Exhibit 213 Excerpts from document bates stamped AM44 0215000 - AM44 0215004 as produced in the course of this litigation by Amgen.
- Exhibit 214 Intentionally left blank.
- Exhibit 215 Intentionally left blank.
- Exhibit 216 Excerpts from document bates stamped AM44 0145693 - AM44 0145754 as produced in the course of this litigation by Amgen.
- Exhibit 217 Excerpts from document bates stamped AM44 0109871 - AM44 0109913 as produced in the course of this litigation by Amgen.
- Exhibit 218 Excerpts from document bates stamped AM44 1003399 - AM44 1003423 as produced in the course of this litigation by Amgen.
- Exhibit 219 Excerpts from document bates stamped R008012011 - R008012067 as produced in the course of this litigation by Roche.
- Exhibit 220 Excerpts from document bates stamped R10-000720247 - R10-000720248 as produced in the course of this litigation by Roche.
- Exhibit 221 Excerpts from document dated April 25, 2006, entitled "Role of Competition in the Pharmaceutical Market and Its Potential Impact in the ESRD Program."
- Exhibit 222 Intentionally left blank.
- Exhibit 223 Excerpts from document bates stamped ITC-R-BLA-00075601 -ITC-R-BLA-00078440 as produced in the course of this litigation by Roche.
- Exhibit 224 Excerpts from document bates stamped AM44 0255366 - AM44 0255397 as

produced in the course of this litigation by Amgen.

- Exhibit 225 Excerpts from document bates stamped AM44 0014032 - AM44 0014059 as produced in the course of this litigation by Amgen.
- Exhibit 226 Excerpts from document bates stamped AM44 0724036 - AM44 0724069 as produced in the course of this litigation by Amgen.
- Exhibit 227 Excerpts from document bates stamped AM47 061599 - AM47 061621 as produced in the course of this litigation by Amgen.
- Exhibit 228 Excerpts from document bates stamped AM44 1115423 - AM44 1115469 as produced in the course of this litigation by Amgen.
- Exhibit 229 Excerpts from May 11, 2007 Third Expert Statement of Dr. Bruce Spinowitz.
- Exhibit 230 Excerpts from document bates stamped AM44 0010091 - AM44 0010113 as produced in the course of this litigation by Amgen.
- Exhibit 231 Excerpts from document bates stamped AM44 0257843 - AM44 0257896 as produced in the course of this litigation by Amgen.
- Exhibit 232 Excerpts from document bates stamped R10-002909705 - R10-002909775 as produced in the course of this litigation by Roche.
- Exhibit 233 Excerpts from document bates stamped R10-002243142 - R10-002243184 as produced in the course of this litigation by Roche.
- Exhibit 234 Excerpts from document bates stamped AM44 0420347 - AM44 0420348 as produced in the course of this litigation by Amgen.
- Exhibit 235 Excerpts from the July 13, 2006 Statement of Herb B. Kuhn, Directory, Centers for Medicare and Medicaid Services, U.S. Department of Health and Human Services before the Subcommittee on Health of the House Committee on Ways and Means.
- Exhibit 236 Excerpts from the Federal Register, Department of Health and Human Services, Centers for Medicare & Medicaid Services, Medicare Program; Revisions to Payment Policies Under the Physician Fee Schedule for Calendar Year 2005, 66 Fed. Reg. 66236 (November 15, 2004).
- Exhibit 237 Excerpts from document bates stamped AM44 0237736 - AM44 0237760 as produced in the course of this litigation by Amgen.
- Exhibit 239 Excerpts from document bates stamped AM44 0234061 - AM44 0234066 as produced in the course of this litigation by Amgen.
- Exhibit 238 Intentionally left blank.

- Exhibit 240 Excerpts from document bates stamped AM44 0170626 - AM44 0170659 as produced in the course of this litigation by Amgen.
- Exhibit 241 Excerpts from document bates stamped AM44 0435746 - AM44 0435754 as produced in the course of this litigation by Amgen.
- Exhibit 242 Excerpts from document bates stamped AM44 0498948 - AM44 0498949 as produced in the course of this litigation by Amgen.
- Exhibit 243 Excerpts from document bates stamped AM44 1026841 - AM44 1026918 as produced in the course of this litigation by Amgen.
- Exhibit 244 Excerpts from the March 29, 2007 transcript of the deposition of Peter Schupbach.
- Exhibit 245 Excerpts from the May 31, 2007 transcript of the deposition of Lauren Stiroh.
- Exhibit 246 Excerpts from document bates stamped AM44 0086362 - AM44 0086411 as produced in the course of this litigation by Amgen.
- Exhibit 247 Excerpts from document bates stamped AM44 0024343 - AM44 0024357 as produced in the course of this litigation by Amgen.
- Exhibit 249 Intentionally left blank.
- Exhibit 250 Document bates stamped R005196525 as produced in the course of this litigation by Roche.
- Exhibit 251 Declaration of Patricia Rocha-Tramaloni, Esq.
- Exhibit 252 Excerpts from document bates stamped AM44 0216327 - AM44 0216358 as produced in the course of this litigation by Amgen.
- Exhibit 253 Intentionally left blank.
- Exhibit 254 Excerpts from document bates stamped AM44 1828892 - AM44 1828915 as produced in the course of this litigation by Amgen.
- Exhibit 255 Intentionally left blank.
- Exhibit 256 Excerpts from document bates stamped AM44 1516903 - AM44 1516917 as produced in the course of this litigation by Amgen.
- Exhibit 257 Withheld from filing due to a potential motion to seal by third party Fresenius Medical Care North America. Roche reserves the right to supplement the public filing with this document.

- Exhibit 258 Document bates numbered FMCNA 002474 as produced in the course of this litigation by Fresenius.
- Exhibit 259 Withheld from filing due to a potential motion to seal by third party Fresenius Medical Care North America. Roche reserves the right to supplement the public filing with this document.
- Exhibit 260 Document bates numbered AM44 2024597 as produced by Amgen on July 12, 2007.
- Exhibit 261 Excerpts from a document bates numbered AM44 2024598 - AM44 2024627 as produced by Amgen on July 12, 2007.
- Exhibit 262 Fact stipulation between Amgen and Roche.

Dated: July 27, 2007
Boston, Massachusetts

Respectfully submitted,

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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/ Kregg T. Brooks
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