

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
AMGEN INC.,)	
)	
Plaintiff,)	
)	
vs.)	
)	CIVIL ACTION No.: 05-CV-12237WGY
F. HOFFMANN-LA ROCHE LTD;)	
ROCHE DIAGNOSTICS GmbH; and)	
HOFFMANN-LA ROCHE INC.)	
)	
Defendants.)	
_____)	

**DEFENDANTS’ NOTICE OF FILING WITH CLERK’S OFFICE OF EXHIBITS TO
DECLARATION OF MANVIN S. MAYELL PREVIOUSLY SUBMITTED IN SUPPORT
OF ROCHE’S MEMORANDUM IN OPPOSITION TO PLAINTIFF AMGEN INC.’S
MOTION TO EXCLUDE THE EXPERT TESTIMONY OF LAUREN J. STIROH**

Pursuant to CMF/ECF Administrative Procedures Rule M(6) notice is hereby given that the exhibits listed below 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 Declaration of Patricia Rocha-Tramaloni, Esq.
- Exhibit 2 Excerpts from the Declaration of Susan Graf.
- Exhibit 3 Excerpts from the Docket Sheet in *Amgen, Inc. v. Hoechst Marion Roussel, Inc.*, 97-10814-WGY, United States District Court, District of Massachusetts.
- Exhibit 4 Excerpts from a document titled, February 8, 2006 CRB, with bates numbers AM44 0007126 - AM44 0007166, produced in the course of this litigation by Amgen.

¹ The original exhibits to the Declaration of Manvin S. Mayell in Support of Roche’s Memorandum in Opposition to Plaintiff Amgen Inc.’s Motion to Exclude the Testimony of Lauren J. Stiroh (DN 699) were previously filed and/or submitted to the Court for *in camera* review on July 12, 2007, and in some instances have been amended to omit portions unnecessary for the Court’s determination of the present motion.

- Exhibit 5 Excerpts from a document titled, February 8, 2006 CRB, with bates numbers AM44 0007126 - AM44 0007166, produced in the course of this litigation by Amgen.
- Exhibit 6 Excerpts from a document titled June 11, 2003 CRB Meeting, Project CAT Update on Roche / Peg Epoetin Beta (CERA), with bates numbers AM44 0011388 - AM44 0011416, produced in the course of this litigation by Amgen.
- Exhibit 7 Excerpts from a document titled, June 2004 Cross-Functional CI Team, with bates numbers AM44 0094966 - AM44 0095013, produced in the course of this litigation by Amgen.
- Exhibit 8 Excerpts from a document titled, March 23, 2006 NACO Operating Review Storyboard, with bates numbers AM44 0231755 - AM44 0231777, produced in the course of this litigation by Amgen.
- Exhibit 9 Excerpts from a document titled, April 26, 2006 Developing a Broader and Bolder Partnership with FMC, with bates numbers AM44 0392145 - AM44 0392211, produced in the course of this litigation by Amgen.
- Exhibit 10 Excerpts from a May 4, 2006 E-Mail from Henry Rath, with bates numbers AM44 1027895 - AM44 1027896, produced in the course of this litigation by Amgen.
- Exhibit 11 Excerpts from a document titled, Major Drivers of Economic Impact of Proposed FMS Contract, with bates numbers AM44 1516866 - AM44 1516876, produced in the course of this litigation by Amgen.
- Exhibit 12 Excerpts from a June 16, 2006 E-Mail from Dave Wasiolek, with bates number AM44 1934907, produced in the course of this litigation by Amgen.
- Exhibit 13 Excerpts from a document titled, Amgen Potential Revenue Loss in '07-'11, with bates number AM44 1934908, produced in the course of this litigation by Amgen.
- Exhibit 14 Excerpts from a February 8, 2007 E-Mail from Nancy Sayre, with bates numbers AM44 1951163 - AM44 1951164, produced in the course of this litigation by Amgen.
- Exhibit 15 Excerpts from a January 10, 2007 E-Mail from Phil Marinelli, with bates numbers AM44 2024361 - AM44 2024364, produced in the course of this litigation by Amgen
- Exhibit 16 Excerpts from the Amgen March 31, 2007 Form 10-Q.
- Exhibit 17 Intentionally Left Blank

- Exhibit 18 Excerpts from a document titled, March 1, 2007, 2007 MIRCERA Business Plan, with bates numbers R11-000637988 - R11-000638017, produced in the course of this litigation by Roche.
- Exhibit 19 Excerpts from a document titled, October 1, 2006, Sourcing & Supply Agreement, with bates numbers FMCNA 002516 - FMCNA 002539, produced in response to a subpoena in the course of this litigation by Fresenius.
- Exhibit 20 Excerpts from a July 2, 2006 E-Mail from Rob Stillwell, with bates number FMCNA 002859, produced in response to a subpoena in the course of this litigation by Fresenius.
- Exhibit 21 Excerpts from the April 6, 2007 Expert Report of B. Douglas Bernheim.
- Exhibit 22 Excerpts from the May 11, 2007 Expert Rebuttal Report of B. Douglas Bernheim.
- Exhibit 23 Excerpts from the April 6, 2007 Expert Report of Lauren Stiroh.
- Exhibit 24 Excerpts from the May 11, 2007 Expert Report of David J. Teece.
- Exhibit 25 Excerpts from the March 22, 2007 transcript of the deposition of George Abercrombie.
- Exhibit 26 Excerpts from the March 23, 2007 transcript of the deposition of Robert Azelby.
- Exhibit 27 Excerpts from the March 20, 2007 transcript of the deposition of Sonders Beimfohr.
- Exhibit 28 Excerpts from the May 30, 2007 transcript of the deposition of B. Douglas Bernheim.
- Exhibit 29 Excerpts from the March 13, 2007 transcript of the deposition of Suzann Duncan.
- Exhibit 30 Excerpts from the May 25, 2007 transcript of the deposition of Einer Elhauge.
- Exhibit 31 Excerpts from the March 30, 2007 transcript of the deposition of Richard Hinson.
- Exhibit 32 Excerpts from the April 2, 2007 transcript of the deposition of Dennis Kogod.
- Exhibit 33 Excerpts from a March 21, 2007 letter from Dennis Kogod to Leslie Mirani, with bates number DVA-Roche 0002000, which was marked as Exhibit 2 to the April 2, 2007 transcript of the deposition of Dennis Kogod.
- Exhibit 34 Excerpts from the March 22, 2007 transcript of the deposition of Alex Lyons.
- Exhibit 35 Excerpts from the March 30, 2007 transcript of the deposition of Robert McGorty.
- Exhibit 36 Excerpts from the April 2, 2007 transcript of the deposition of Leslie Mirani.

- Exhibit 37 Excerpts from the March 26, 2007 transcript of the deposition of George Morrow.
- Exhibit 38 Excerpts from the March 29, 2007 transcript of the deposition of Peter Schupbach.
- Exhibit 39 Excerpts from the March 27, 2007 transcript of the deposition of Kevin Sharer.
- Exhibit 40 Excerpts from a document titled, February 8, 2007 Amgen at Merrill Lynch Global Pharmaceutical, Biotechnology and Medical, which was marked as Exhibit 11 to the March 27, 2007 deposition of Kevin Sharer.
- Exhibit 41 Excerpts from the May 31, 2007 transcript of the deposition of Lauren Stiroh.
- Exhibit 42 Excerpts from a document titled, January 24, 2007 Epogen/Aranesp Non Onc 2007-09 Revenue Plan Update, with bates numbers AM44 1951328 - AM44 1951333, which was marked as Exhibit 6 to the May 31, 2007 deposition of Lauren Stiroh.
- Exhibit 43 Excerpts from the June 7, 2007 transcript of the deposition of David Teece.
- Exhibit 44 Excerpts from the March 20, 2007 transcript of the deposition of Helen Torley.

Dated: July 27, 2007
Boston, Massachusetts

Respectfully submitted,

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

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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
Kregg T. Brooks