

EXHIBIT 12

KAYE SCHOLER LLP

Hank Heckel
212 836-8748
Fax 212 836-6349
hheckel@kayescholer.com

425 Park Avenue
New York, New York 10022-3598
212 836-8000
Fax 212 836-8689
www.kayescholer.com

May 31, 2007

Mario Moore
Day Casebeer Madrid & Batchelder LLP
20300 Stevens Creek Blvd, Suite 400
Cupertino, California 95014

Re: Amgen, Inc. v. F. Hoffman-La Roche Ltd, Roche Diagnostics GmbH, and Hoffmann-LaRoche Inc., Civ. No. 05-CV-12237WGY, D. Mass

VIA EMAIL AND FAX

Dear Mario:

The rebuttal expert report by Dr. Orkin dated 5/11/07 refers to his own work on cloning the EPO gene. Since Dr. Orkin relies on this work to support his opinions, this work is relevant and discoverable. In view of the upcoming deposition of Dr. Orkin, we request immediate production of all documents underlying and relating to this work.

Very truly yours,



Hank Heckel

cc: Michelle Moreland
Mark Izraelewicz
Julia Huston
Patricia Carson

31482616.DOC