

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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

**NOTICE OF SERVICE OF CONFIDENTIAL DOCUMENTS TO BE FILED IN
SUPPORT OF DEFENDANTS’ MOTION *IN LIMINE* TO PRECLUDE AMGEN FROM
OFFERING EXPERT OPINIONS BASED ON STATEMENTS MADE DURING PRIOR
LEGAL PROCEEDINGS BY WITNESSES WHO WILL NOT TESTIFY AT
TRIAL IN THIS CASE**

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 August 14, 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 has identified as confidential:

1. Exhibit B to Defendants’ Memorandum in Support of its Motion *in limine* to Preclude Amgen from Offering Expert Opinions Based on Statements Made During Prior Legal Proceedings by Witnesses Who Will Not Testify at Trial in this Case.

Amgen has designated information contained in this document as confidential and accordingly, Roche hereby submits it for *in camera* inspection pursuant to the Protective Order because Amgen has not agreed to Roche’s request to file the documents in the public record.

Pursuant to the protective order, Amgen has four (4) Court days to file either a motion supported by a particularized affidavit(s) as to why the information is confidential trade secret material, or to consent to filing the information in the public record; and Roche has two (2) Court days thereafter in which to respond to such motion to treat the information as confidential trade secret information.

Dated: August 14, 2007
Boston, Massachusetts

Respectfully submitted,

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

By their Attorneys,

/s/ Keith E. Toms

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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/ Nicole A. Rizzo
Nicole A. Rizzo

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