

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
AMGEN INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. NO.: 05-12237-WGY
)	
F. HOFFMANN-LAROCHE)	
LTD., a Swiss Company, ROCHE)	
DIAGNOSTICS GmbH, a German)	
Company and HOFFMANN LAROCHE)	
INC., a New Jersey Corporation,)	
)	
Defendants.)	
_____)	

**NOTICE OF SERVICE OF CONFIDENTIAL DOCUMENTS RELATED TO AMGEN’S
MOTION IN LIMINE NO. 13: EXCLUDE EVIDENCE AND ARGUMENT
REGARDING ROCHE’S FDA FILINGS AND COMMUNICATIONS THAT IT
WITHHELD THROUGHOUT FACT DISCOVERY**

The Plaintiff, Amgen Inc. (“Amgen”), hereby certifies, pursuant to the Protective Order dated February 7, 2007 [Docket No. 274], that it served today, via hand-delivery, upon defense counsel at Bromberg & Sunstein LLP and via overnight mail to defense counsel at Kaye Scholer LLP, the following:

Confidential Exhibits 1-5 and 7 to the Declaration Of Deborah E. Fishman in Support of Amgen Inc.’s Motion in Limine No. 13: Exclude Evidence and Argument Regarding Roche’s FDA Filings and Communications that it Withheld Throughout Fact Discovery

These documents contain information designated as confidential by the Roche defendants. Accordingly, pursuant to paragraph 14 of the Protective Order, Roche has four (4) Court days to seek leave of Court pursuant to Local Rule 7.2 if they seek to have the Court deem such documents confidential.

Dated: August 22, 2007

Respectfully Submitted,

AMGEN INC.,
By its attorneys,

Of Counsel:

Stuart L. Watt
Wendy A. Whiteford
Monique L. Cordray
Darrell G. Dotson
Kimberlin L. Morley
Erica S. Olson
AMGEN INC.
One Amgen Center Drive
Thousand Oaks, CA 91320-1789
(805) 447-5000

/s/ Michael R. Gottfried
D. Dennis Allegretti (BBO#545511)
Michael R. Gottfried (BBO# 542156)
Patricia R. Rich (BBO# 640578)
DUANE MORRIS LLP
470 Atlantic Avenue, Suite 500
Boston, MA 02210
Telephone: (617) 289-9200
Facsimile: (617) 289-9201

Lloyd R. Day, Jr. (*pro hac vice*)
DAY CASEBEER, MADRID & BATCHELDER
LLP
20300 Stevens Creek Boulevard, Suite 400
Cupertino, CA 95014
Telephone: (408) 873-0110
Facsimile: (408) 873-0220

William Gaede III (*pro hac vice*)
McDERMOTT WILL & EMERY
3150 Porter Drive
Palo Alto, CA 94304
Telephone: (650) 813-5000
Facsimile: (650) 813-5100

Kevin M. Flowers (*pro hac vice*)
MARSHALL, GERSTEIN & BORUN LLP
233 South Wacker Drive
6300 Sears Tower
Chicago, IL 60606
Telephone: (312) 474-6300
Facsimile: (312) 474-0448

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 and paper copies will be sent to those indicated as non-registered participants.

/s/ Michael R. Gottfried _____
Michael R. Gottfried