

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMGEN INC.,)
)
)
 Plaintiff,)
)
 v.)
)
 F. HOFFMANN-LAROCHE)
 LTD., a Swiss Company, ROCHE)
 DIAGNOSTICS GmbH, a German)
 Company and HOFFMANN LAROCHE)
 INC., a New Jersey Corporation,)
)
 Defendants.)

C.A. NO.: 05-12237-WGY

NOTICE OF SERVICE OF CONFIDENTIAL DOCUMENTS TO BE FILED IN CONNECTION WITH AMGEN INC.'S MOTION IN LIMINE NO. 17: TO EXCLUDE ROCHE FROM PRESENTING EVIDENCE TO CHALLENGE THE NON-OBVIOUSNESS OF THE DNA SEQUENCE ENCODING FOR HUMAN ERYTHROPOIETIN IN 1983

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 Amgen Inc.'s Brief in Support of its Motion in Limine No. 17: to Exclude Roche from Presenting Evidence to Challenge the Non-obviousness of the DNA Sequence Encoding for Human Erythropoietin in 1983**
- **Confidential Exhibits 26, 34 and 35 to the Declaration Of William G. Gaede, III, in Support of Amgen Inc.’s Motion in Limine No. 17: to Exclude Roche from Presenting Evidence to Challenge the Non-obviousness of the DNA Sequence Encoding for Human Erythropoietin in 1983**

These documents contain information designated as confidential by the defendants (“Roche”). 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 27, 2007

Respectfully Submitted,

AMGEN INC.,
By its attorneys,

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

/s/ Michael R. Gottfried

Michael R. Gottfried