

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.	)	
_____	)	

**ROCHE’S MOTION FOR AN EXTENSION OF TIME TO FILE A MOTION FOR  
LEAVE TO SEAL DOCUMENTS CONTAINING ITS TRADE SECRETS SUBMITTED  
IN CONNECTION WITH AMGEN’S MOTION *IN LIMINE* NO. 13**

Defendants F. Hoffmann-La Roche Ltd, Roche Diagnostics GmbH, and Hoffmann-La Roche Inc. (collectively “Roche”) respectfully request a three-day extension of time until August 31, 2007, to file a motion to seal documents containing Roche’s confidential and trade secret materials, which were submitted for *in camera* review by Amgen in connection with its Motion *In Limine* No. 13. (Docket No. 856).<sup>1</sup>

In support of this motion, Roche states that the documents at issue contain highly confidential trade secret information, but that, in light of the availability of Roche personnel with pertinent information, it requires additional time to prepare its particularized motion and declaration as required by the Court. Roche further states that this extension will not affect the briefing schedule for Roche’s opposition on the merits, which is not due until September 5, 2007.

<sup>1</sup> The Roche confidential documents at issue correspond to 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 (Docket No. 858). These Exhibits were submitted to the Court for *in camera* review on August 22, 2007.

Thus, Roche respectfully requests three additional days, until August 31, 2007, to prepare its motion for leave to file under seal documents containing its confidential, trade secret information.

**CERTIFICATE PURSUANT TO LOCAL RULE 7.1**

I certify that counsel for the parties have conferred in an attempt to resolve or narrow the issues presented by this motion and that no agreement could be reached.

DATED: Boston, Massachusetts  
August 28, 2007

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/ Keith E. Toms  
Keith E. Toms

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