

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMGEN INC.,)
)
 Plaintiff,)
)
 v.)
)
 F. HOFFMANN-LA ROCHE LTD)
 ROCHE DIAGNOSTICS GmbH)
 and HOFFMANN-LA ROCHE INC.)
)
 Defendants.)

CIVIL ACTION No.: 05-CV-12237WGY

**DEFENDANTS’ MOTION FOR LEAVE TO REPLY TO PLAINTIFF AMGEN INC.’S
OPPOSITION TO DEFENDANTS’ MOTION *IN LIMINE* TO PRECLUDE PLAINTIFF
AMGEN INC. FROM ASSERTING OUTCOMES OF PRIOR LITIGATIONS
CONCERNING THE VALIDITY AND INFRINGEMENT OF CERTAIN CLAIMS OF
THE PATENTS-IN-SUIT AS EVIDENCE AND ATTORNEY ARGUMENT**

Defendants F. Hoffmann-La Roche LTD, Roche Diagnostics GmbH, and Hoffmann-La Roche Inc. (collectively “Roche”) respectfully submit this Motion For Leave To Reply To Plaintiff Amgen Inc.’s Opposition to Defendants’ Motion *in Limine* to Preclude Plaintiff Amgen Inc. from Asserting Outcomes of Prior Litigations Concerning the Validity and Infringement of Certain Claims of the Patents-in-Suit as Evidence and Attorney Argument, filed on August 24, 2007 (Docket No. 869). Roche’s proposed reply brief is attached hereto as Exhibit A.

In support of this motion, Roche states that its proposed reply brief is limited to two issues raised in Amgen’s opposition, is concise, and will be of assistance to the Court.

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 no agreement was reached.

Dated: August 30, 2007
Boston, Massachusetts

Respectfully submitted,

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

By their 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 (NEF) and paper copies will be sent to those indicated as non registered participants on the above date.

/s/ Kregg T. Brooks
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