

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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AMGEN INC.,)
)
Plaintiff,)
)
v.)
)
	CIVIL ACTION No.: 05-CV-12237WGY)
F. HOFFMANN-LA ROCHE LTD)
ROCHE DIAGNOSTICS GmbH)
and HOFFMANN-LA ROCHE INC.)
)
Defendants.)
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**DEFENDANTS’ MOTION FOR LEAVE TO REPLY IN FURTHER SUPPORT OF
THEIR MOTION *IN LIMINE* TO INVOKE ISSUE PRECLUSION AS TO FINDINGS
FROM PRIOR LITIGATION**

Defendants F. Hoffmann-La Roche Ltd, Roche Diagnostics GmbH, and Hoffmann-La Roche Inc. (collectively “Roche”) respectfully submit this Motion For Leave To Reply In Further Support of Their Motion *In Limine* to Invoke Issue Preclusion as to Findings from Prior Litigation. 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 the 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: September 3, 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 will be delivered to Amgen's trial counsel by electronic mail in the manner requested in the August 29, 2007, letter of Renee DuBord Brown to Thomas F. Fleming. Paper copies will be sent to those indicated as non registered participants on September 4, 2007.

/s/ Timothy M. Murphy