

# **EXHIBIT**

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August 27, 2007

**VIA FAX AND EMAIL**

Deborah E. Fishman, Esq.  
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***Re: Amgen, Inc. v. F. Hoffman-La Roche Ltd, Roche Diagnostics GmbH, and Hoffmann-LaRoche Inc., Civ. No. 05-CV-12237WGY, D. Mass***

Dear Deborah:

This will again confirm our earlier conversations and communications regarding Amgen making Dr. Fu-Kuen Lin available to Roche for live testimony at the upcoming trial. As we have repeated told Amgen, Dr. Fu-Kuen Lin should be available all days during the trial week of September 4, 2007, but our expectation is that he will be called by Roche to testify before the jury most probably sometime during the period from September 5, 6 or 7, 2007.

Very truly yours,

  
Thomas F. Fleming

cc: Mark Izraelewicz  
Julia Huston  
Patricia Carson  
Leora Ben-Ami

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