

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GENENTECH, INC. and CITY OF HOPE,

Plaintiffs,

v.

AMGEN INC.,

Defendant.

PUBLIC VERSION FILED
MAY 20, 2019

Case No. 18-924-CFC

**PLAINTIFFS' MOTION TO COMPEL AMGEN TO PRODUCE DOCUMENTS AND
WITNESSES AND LETTER BRIEF IN SUPPORT**

Plaintiffs Genentech, Inc. and City of Hope ("Plaintiffs"), through their undersigned counsel move to compel Defendant Amgen, Inc. to produce certain relevant documents and make available for further deposition certain witnesses for whom Amgen has failed to timely produce documents, as set forth in Plaintiffs' supporting letter brief and proposed order filed contemporaneously herewith. Plaintiffs will present their motion during a conference with the Court on May 16, 2019, at 10:00 a.m., and/or on May 21, 2019 at 10:00 a.m.

Dated: May 13, 2019

MCCARTER & ENGLISH, LLP

/s/ Michael P. Kelly

Michael P. Kelly (#2295)

Daniel M. Silver (#4758)

Alexandra M. Joyce (#6423)

Renaissance Centre

405 N. King Street, 8th Floor

Wilmington, DE 19801

(302) 984-6300

mkelly@mccarter.com

dsilver@mccarter.com

ajoyce@mccarter.com

*Counsel for Plaintiffs Genentech, Inc.,
and City of Hope*

Of Counsel:

William F. Lee

Lisa J. Pirozzolo

Emily R. Whelan

Kevin S. Prussia

Andrew J. Danford

Stephanie Neely

WILMER CUTLER PICKERING

HALE AND DORR LLP

60 State Street

Boston, MA 02109

Robert J. Gunther, Jr.

WILMER CUTLER PICKERING

HALE AND DORR LLP

7 World Trade Center

250 Greenwich Street

New York, NY 10007

Nora Passamaneck

WILMER CUTLER PICKERING

HALE AND DORR LLP

1225 17th Street, Suite 2600

Denver, CO 80202

Nancy Schroeder

WILMER CUTLER PICKERING

HALE AND DORR LLP

350 S Grand Avenue, Suite 2100

Los Angeles, CA 90071

Darlyn Durie

Adam Brausa

DURIE TANGRI LLP

217 Leidesdorff Street

San Francisco, CA 94111

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that true and correct copies of the foregoing document were caused to be served on May 13, 2019 on the following counsel via email:

Neal C. Belgam
Eve H. Ormerod
SMITH, KATZENSTEIN & JENKINS, LLP
1000 West Street, Suite 1501
Wilmington, DE 19801
(302) 652-8400
nbelgam@skjlaw.com
eormerod@skjlaw.com

Orion Armon
COOLEY, LLP
380 Interlocken Crescent, Suite 900
Broomfield, CO 80021-8023
(720) 566-4119
oarmon@cooley.com

Eamonn Gardner
COOLEY, LLP
4401 Eastgate Mall
San Diego, CA 92121-1909
(858) 550-6086
egardner@cooley.com

Michelle Rhyu
Susan Krumplitsch
Daniel Knauss
COOLEY, LLP
3175 Hanover Street
Palo Alto, CA 94304-1130
P 650-843-5287
mrhyu@cooley.com
skrumplitsch@cooley.com
dknauss@cooley.com

Nancy Gettel
Thomas Lavery, IV
AMGEN, INC.
One Amgen Center Drive
Thousand Oaks, CA 91320-1799
P 805-447-1000
ngettel@amgen.com
tlavery@amgen.com

Attorneys for Defendant Amgen Inc.

Dated: May 13, 2019

/s/ Michael P. Kelly

Michael P. Kelly (#2295)