

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

GENENTECH, INC.,)
)
 Plaintiff,)
)
 v.)
)
 AMGEN INC.) C.A. No. 18-924-CFC
)
 Defendant.)
)
)
)

**GENENTECH’S MOTION TO STRIKE AMGEN’S ELEVENTH AND
TWELFTH AFFIRMATIVE DEFENSES (AND DISMISS, OR
ALTERNATIVELY, STRIKE ASSOCIATED COUNTERCLAIMS)**

Pursuant to Federal Rules of Civil Procedure 12(b)(6) and 12(f), Plaintiff Genentech, Inc. respectfully moves to strike Defendant’s Eleventh and Twelfth Affirmative Defenses and to dismiss, or alternatively strike, associated counterclaims. The bases for this motion are set forth in the Opening Brief contemporaneously filed herewith.

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