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September 27, 2019

VIA CM/ECF & HAND DELIVERY

The Honorable Colm F. Connolly
J. Caleb Boggs Federal Building
Wilmington, DE 19801-3555

Re: **Genentech, Inc. v. Amgen Inc., C.A. No. 18-924-CFC (D. Del.)**

Dear Judge Connolly:

I write jointly on behalf of the parties in the above-referenced action regarding the parties' submissions in advance of the October 16, 2019 evidentiary hearing on indefiniteness.

On July 8, 2019, the Court scheduled an evidentiary hearing on indefiniteness in this case (and related action 17-1407) for October 7, 2019, and ordered each of parties to submit, by September 27, 2019, "a. A letter of no more than 1,000 words in 14-point font in support of its position with respect to the indefiniteness issue; and b. An expert declaration in support of same." (18-924 D.I. 271/ 17-1407 D.I. 436). The evidentiary hearing was later rescheduled to October 16, 2019 at the parties' request, but the parties understood that the Court's order setting the deadline and word limit for indefiniteness submissions remained in effect, and the parties are planning to file those submissions today.

On September 26, 2019 the Court issued an oral order in this action ordering that "The parties may but are not required to submit a memorandum in advance of the October 16, 2019 hearing," and "[a]ny memorandum must be submitted on or before October 11, 2019 and shall be in 14-point font and no more than 3,000 words." As the parties were planning to file their 1,000 word submissions and supporting declarations today, they have agreed that there will be no further submissions in response to the September 26, 2019 oral order, unless Your Honor requests further submissions.

The Honorable Colm F. Connolly
September 27, 2019
Page 2

The Court's attention to this matter is greatly appreciated. Counsel are available should the Court have any questions.

Respectfully submitted,

/s/ Daniel M. Silver

Daniel M. Silver (#4758)

cc: All counsel of record (via CM/ECF)

All counsel of record in C.A. 17-1407 (via email)