

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

GENENTECH, INC.,

Plaintiff,

v.

AMGEN INC.,

Defendant.

C.A. No. 18-924-CFC

**AMGEN INC.'S MOTION FOR PROTECTIVE ORDER AGAINST UNTIMELY
SUBPOENAS**

Amgen Inc. respectfully requests that the Court issue a protective order that (1) voids the subpoenas recently issued by Genentech, Inc. (“Genentech”) and mandates their withdrawal; and (2) excludes from evidence at the December 2019 trial any information that Genentech obtained from third-parties who received the subpoenas. The grounds for this motion are set forth in the accompanying discovery dispute letter, and the specific relief is set forth in the Proposed Order, filed herewith.

Dated: October 13, 2019

SMITH, KATZENSTEIN & JENKINS,
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