

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

GENENTECH, INC.,

Plaintiff,

v.

AMGEN INC.,

Defendant.

C.A. No. 18-924-CFC

AVERMENT OF COUNSEL

Pursuant to the Court's procedures, the parties have made a reasonable effort to resolve the disputes sought in Amgen Inc.'s Motion for Protective Order Against Untimely Subpoenas but were unable to reach agreement. The reasonable effort to resolve these disputes included oral communications that involved Delaware counsel.

Dated: October 13, 2019

SMITH, KATZENSTEIN & JENKINS, LLP

/s/ Eve H. Ormerod

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