

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

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

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

IT IS HEREBY ORDERED, this \_\_\_\_\_ day of \_\_\_\_\_, 2019,  
pursuant to Federal Rules of Civil Procedure 12(b)(6) and 12(f), Defendant’s Eleventh and  
Twelfth Affirmative Defense are hereby STRICKEN and Defendant’s associated counterclaims  
are hereby DISMISSED or STRICKEN.

\_\_\_\_\_  
Hon. Judge Colm F. Connolly  
United States District Judge