

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

IN RE AMGEN INC.
SECURITIES LITIGATION

Case No. CV 07-2536 PSG (PLAx)
Honorable Philip S. Gutierrez

**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT AND MOTION FOR
ATTORNEYS' FEES AND EXPENSES**

If you purchased Amgen Inc. publicly traded securities during the period from April 22, 2004 through May 10, 2007, inclusive (the "Class Period"), and were damaged thereby (the "Class"), you may be entitled to a payment from a class action settlement.

A federal court authorized this notice. This is not a solicitation from a lawyer.

- This Settlement Notice is to inform you of the proposed Settlement of this class action (the "Action"), and a hearing that will be held by the Court to consider: (i) whether the Settlement should be approved; (ii) the application of Class Counsel for attorneys' fees and expenses (*see* page 3 below); and (iii) whether the proposed Plan of Allocation for the Settlement proceeds should be approved (the "Settlement Hearing"). This Settlement Notice describes important rights you may have and what steps you must take if you wish to participate in the Settlement, wish to object, wish to opt-back into the Class (if you previously validly and timely sought exclusion), or now wish to be excluded from the Class.
- If approved by the Court, the Settlement will create a \$95,000,000 cash settlement fund for the benefit of eligible Class Members, less any attorneys' fees and litigation expenses awarded by the Court and less Notice and Administration Expenses.
- The Settlement resolves claims by Court-appointed Class Representative Connecticut Retirement Plans and Trust Funds ("Connecticut Retirement," "Lead Plaintiff" or "Class Representative") that have been asserted on behalf of the certified Class against Amgen Inc. ("Amgen" or the "Company"), Kevin W. Sharer, Richard D. Nanula, Roger M. Perlmutter, and George J. Morrow (collectively, the "Individual Defendants" and, with Amgen, the "Defendants"). It avoids the costs and risks of continuing the litigation; pays money to investors like you; and releases the Released Defendant Parties (defined below) from liability.
- If you are a Class Member, your legal rights are affected whether you act or do not act. Read this Settlement Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

SUBMIT A CLAIM FORM BY DECEMBER 23, 2016	The only way to get a payment. <i>See</i> Section D for details.
OPT-BACK INTO THE CLASS BY SUBMITTING AN OPT-BACK IN REQUEST BY OCTOBER 4, 2016	If you previously submitted a timely and valid request for exclusion from the Class in connection with the previously mailed Class Notice and now want to be part of the Class in order to receive a payment from the Net Settlement Fund (defined below), you must follow the steps for “Opting-Back Into the Class” set forth in Section F below.
EXCLUDE YOURSELF FROM THE CLASS BY OCTOBER 4, 2016	Get no payment. This is the only option that, assuming your claim is timely brought, might enable you to ever bring or be part of any <u>other</u> lawsuit about the Released Claims (defined below) against Defendants and the other Released Defendant Parties. If you previously submitted a valid and timely request for exclusion from the Class in connection with the Class Notice and wish to remain excluded from the Class, no further action is necessary. <i>See</i> Section E for details.
OBJECT BY OCTOBER 4, 2016	Write to the Court about why you do not like the Settlement, the proposed Plan of Allocation, and/or the request for attorneys’ fees and expenses. You will still be a member of the Class and you can submit a claim form. <i>See</i> Section H for details.
GO TO A HEARING ON OCTOBER 25, 2016	Ask to speak in Court at the Settlement Hearing.
DO NOTHING	Get no payment. Stay in the Class and release the Released Claims.

SUMMARY OF THIS NOTICE

(a) Statement of Plaintiff’s Recovery

Pursuant to this proposed Settlement, a Settlement Fund consisting of \$95,000,000 in cash, including any accrued interest, has been established. Based on Class Representative’s expert’s estimate of the number of shares of common stock entitled to participate in the Settlement, and assuming that all such shares entitled to participate do so, Class Representative’s expert estimates that the average recovery per allegedly damaged share of Amgen common stock would be approximately \$0.12 per share and approximately \$1.85 per bond with a par value of \$1,000 (before deduction of Court-approved expenses, such as attorneys’ fees and expenses and administrative costs), and approximately \$0.08 per share and approximately \$1.24 per bond with a par value of \$1,000 after the deduction of the attorneys’ fees and expenses discussed below.

A Class Member’s actual recovery will be a portion of the Net Settlement Fund (defined below), determined by comparing his, her, or its “Recognized Loss” to the total Recognized Losses of all Class Members who submit acceptable Proofs of Claim. An individual Class Member’s actual recovery will depend on, for example: (i) the total number of claims submitted; (ii) when the Class Member purchased Amgen securities during the Class Period; (iii) the purchase price paid; (iv) the type of security purchased; and (v) whether the securities were held at the end of the Class Period or sold (and, if sold, when they were sold and the amount received). *See* the Plan of Allocation beginning on page 12 for information on the calculation of your Recognized Loss.

(b) Statement of Potential Outcome if the Action Continued to Be Litigated

The Parties disagree on both liability and damages and do not agree on the amount of damages, if any, that would be recoverable if Class Representative were to prevail on each claim alleged. The issues on which the Parties disagree include, but are not limited to: (i) whether Defendants made any material misstatements or omissions; (ii) whether any Defendant acted with the required state of mind; (iii) the extent to which the various matters that Class Representative alleged were false and misleading inflated (if at all) the trading price of Amgen’s publicly traded securities at various times during the Class Period; (iv) whether any purchaser of Amgen securities has suffered

damages as a result of the alleged misstatements and omissions in Amgen's public statements; (v) the extent of such damages, assuming they exist, including the appropriate economic models and methodologies for measuring damages; and (vi) the extent to which confounding news and/or external factors, such as general market and industry conditions, and company-specific factors unrelated to the Defendants' alleged violations of the federal securities laws, influenced the trading price of Amgen's securities.

(c) Statement of Attorneys' Fees and Litigation Expenses Sought

Labaton Sucharow LLP ("Class Counsel") will make a motion, on behalf of all plaintiffs' counsel, asking the Court to award attorneys' fees of no more than 25% of the Settlement Fund, which will include accrued interest, and to approve the payment of litigation expenses incurred in prosecuting the Action in an amount not to exceed \$7,500,000, plus any interest on such amount at the same rate and for the same period as earned by the Settlement Fund ("Fee and Expense Application"). A fee request may be applied for that is greater than the fee percentage originally negotiated with Class Representative in 2007 at the start of the case. *See generally, Vizcaino v. Microsoft Corp.*, 290 F.3d 1043, 1049 (9th Cir. 2002) (precertification fee agreements are not binding on certified class). Any such increased fee percentage sought will be based on the advanced stage of the litigation, the extensive appeals, including an appeal to the Supreme Court, and the amount of work undertaken by Class Counsel in prosecuting the case for the past nine years. In addition, Class Counsel's Fee and Expense Application may make a request for an award to Class Representative for reimbursement of its reasonable costs and expenses, including lost wages, directly related to its representation of the Class, pursuant to the Private Securities Litigation Reform Act of 1995 (the "PSLRA") in a total amount not to exceed \$150,000. A copy of the Fee and Expense Application will be posted on www.AmgenSecuritiesLitigation.com after it has been filed with the Court.

If the Court approves the Fee and Expense Application, the average cost per allegedly damaged share of Amgen common stock for such fees and expenses would be approximately \$0.04 per share and approximately \$0.61 per bond with a par value of \$1,000. The average cost per damaged security will vary depending on the number of acceptable claims submitted. Class Counsel has expended considerable time and effort in the prosecution of this litigation without receiving any payment, and has advanced the expenses of the litigation, such as the cost of experts, in the expectation that if it were successful in obtaining a recovery for the Class it would be paid from such recovery. In this type of litigation it is customary for counsel to be awarded a percentage of the common fund recovered as attorneys' fees.

(d) Further Information

Further information regarding this Action and this Settlement Notice may be obtained by contacting the Claims Administrator: *Amgen Securities Litigation*, c/o Epiq, P.O. Box 4178, Portland, OR 97208-4178, (800) 462-2317, www.AmgenSecuritiesLitigation.com, info@AmgenSecuritiesLitigation.com; or Class Counsel: Labaton Sucharow LLP, (888) 219-6877, www.labaton.com, settlementquestions@labaton.com.

**DO NOT CALL THE COURT WITH QUESTIONS
ABOUT THE SETTLEMENT**

(e) Reasons for the Settlement

For Class Representative, the principal reason for the Settlement is the certain benefit to the Class. This benefit must be compared to the risk that no recovery might be achieved after a contested trial and likely appeals, possibly years into the future.

For Defendants, who deny and continue to deny all allegations of wrongdoing or liability whatsoever, the principal reason for the Settlement is to eliminate the burden, expense, uncertainty, and distraction of further litigation.

[END OF PSLRA COVER PAGE]

A. BASIC INFORMATION

1. Why did I get this Settlement Notice?

You or someone in your family may have purchased the publicly traded securities of Amgen during the period from April 22, 2004 through May 10, 2007, inclusive.

The Court in charge of the case is the United States District Court for the Central District of California. The lawsuit is known as *In re Amgen Inc. Securities Litigation*, Case No. CV 07-2536 PSG (PLAx) and is assigned to the Honorable Philip S. Gutierrez. The people who have sued are called plaintiffs, and the company and persons they have sued are called defendants. Class Representative in the Action, Connecticut Retirement Plans and Trust Funds, represents the Class. Defendants are Amgen, Kevin W. Sharer, Richard D. Nanula, Roger M. Perlmutter, and George J. Morrow.

The Court directed that this Settlement Notice be sent to Class Members because they have a right to know about the proposed Settlement of this class action lawsuit, and about all of their options, before the Court decides whether to approve the Settlement. The Court will review the Settlement at a Settlement Hearing on **October 25, 2016**, in Courtroom 880 of the United States District Court for the Central District of California, Edward R. Roybal Federal Building and Courthouse, 255 East Temple Street, Los Angeles, CA 90012, at 1:30 p.m. If the Court approves the Settlement, and after any objections and appeals are resolved, a claims administrator appointed by the Court will make the payments that the Settlement allows.

This Settlement Notice and the Proof of Claim and Release (“Claim Form”) explain the Action, the Settlement, Class Members’ legal rights, what benefits are available, who is eligible for them, and how to get them.

2. What is this lawsuit about and what has happened so far?

This Action was commenced in April of 2007 by the filing of securities class action complaints alleging that Defendants violated the federal securities laws in connection with statements made about the drugs Aranesp[®] and Epogen[®]. On July 31, 2007, the Court entered an Order consolidating the securities class actions into this Action and appointing Connecticut Retirement as Lead Plaintiff pursuant to the PSLRA. In the same Order, the Court approved Connecticut Retirement’s selection of Labaton Sucharow LLP (“Labaton Sucharow”) as Lead Counsel for the proposed class.

On October 1, 2007, Class Representative filed its Consolidated Amended Class Action Complaint, asserting claims under Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 (the “Exchange Act”) and Rule 10b-5 promulgated thereunder. On November 8, 2007, Defendants filed a motion to dismiss the Complaint, which was granted in part and denied in part by the Court on February 1, 2008. Thereafter, on April 2, 2008, Defendants filed their answer to the Complaint.

On March 4, 2009, Connecticut Retirement moved for class certification, appointment as class representative, and appointment of Labaton Sucharow as class counsel. Defendants opposed the motion. On August 12, 2009, the Court issued an Order granting Connecticut Retirement’s motion and appointing Connecticut Retirement as Class Representative (“Class Certification Order”). Labaton Sucharow was appointed Class Counsel by a subsequent order entered on October 29, 2013.

On August 28, 2009, Defendants filed a petition in the United States Court of Appeals for the Ninth Circuit (the “Ninth Circuit”) seeking leave to appeal the Class Certification Order. On December 11, 2009, the Ninth Circuit granted Defendants’ petition. Ultimately, the Ninth Circuit affirmed the Class Certification Order on November 8, 2011. On March 1, 2012, Defendants filed a petition for a writ of *certiorari* with the United States Supreme Court, which was granted. On November 5, 2012, the Supreme Court heard oral argument and on February 27, 2013, the Supreme Court affirmed the decision of the Ninth Circuit.

On September 18, 2015, Class Representative filed its unopposed motion to approve the form, content, and method for providing notice of the pendency of the Action to the Class. On November 10, 2015, the Court entered an order approving Class Representative’s long-form notice (the “Class Notice”) and summary notice of pendency. Beginning on December 3, 2015 and December 17, 2015, respectively, the Class Notices were disseminated to the Class by mail and publication, as ordered by the Court.

Class Representative, through Class Counsel, has conducted a thorough investigation of the claims, defenses, and underlying events and transactions that are the subject of the Action. This process has included reviewing and analyzing: (i) documents filed publicly by the Company with the U.S. Securities and Exchange Commission

(“SEC”); (ii) publicly available information, including press releases, news articles, and other public statements issued by or concerning the Company and the Defendants; (iii) research reports issued by financial analysts concerning the Company; (iv) other publicly available information and data concerning the Company; (v) approximately 22,500,000 pages of documents and over 50 megabytes of statistical and other native files produced by Defendants and approximately 293,000 pages of documents produced by third-parties during discovery; and (vi) the applicable law governing the claims and potential defenses.

Prior to reaching the agreement in principle to settle the Action, counsel for Class Representative and Defendants completed voluminous class, fact and expert discovery, which commenced in 2008 before the district court proceedings were stayed pending Defendants’ appeal of the Class Certification Order. The parties resumed fact discovery following remand from the Supreme Court in 2013. At that time, in August 2013, the Court held a status conference with the parties and set a new case schedule, including a new deadline for amendment of the pleadings. Class Representative subsequently amended its complaint to add new misstatements and otherwise strengthen its allegations based primarily on additional evidence obtained in discovery and other developments.

Specifically, on May 5, 2014, Class Representative filed the Corrected Second Amended Complaint (“Amended Complaint”), which is the operative complaint in the Action. The operative Amended Complaint alleges that Defendants violated Sections 10(b) and 20(a) of the Exchange by making false and misleading statements or omissions about the safety and marketing of Aranesp[®], including related clinical trials. The Amended Complaint further alleges that these false statements and omissions caused the price of Amgen securities to be artificially inflated during the Class Period and that the price of Amgen securities declined when the alleged truth was disclosed and the alleged risks materialized. On May 13, 2014, Defendants filed a motion to dismiss, challenging both the old and new allegations in the Amended Complaint, which the Court granted in part and denied in part on August 4, 2014. On September 17, 2014, Defendants answered the Amended Complaint.

Class Representative and Defendants resumed fact discovery after the second motion to dismiss decision in August 2014, with Class Representative serving a new set of document requests focused on the new allegations in the Amended Complaint. The parties began taking fact depositions in May of 2015 (in addition to several others that had been taken previously in 2009-2010 and 2013) and completed fact discovery on September 4, 2015. The parties then immediately commenced expert discovery, which concluded on February 25, 2016. Ultimately, the voluminous class, fact, and expert discovery undertaken by counsel for Class Representative and Defendants included the following: service of numerous sets of discovery requests (including 7 sets of document requests, 53 interrogatories, and 155 requests for admission served by Class Representative on Defendants); review of approximately 22,500,000 pages of documents and over 50 megabytes of statistical and other native files produced by Defendants and approximately 293,000 pages of documents produced by third-parties; taking or defending approximately 52 depositions (approximately 38 of which were taken by Class Representative), including the depositions of Class Representative, the Individual Defendants, and 14 experts (8 of which were taken by Class Representative); and exchanging 36 total expert reports directed at marketing, biostatistics, oncology, clinical trials, FDA regulations, loss causation, damages, and criminal guilty pleas.

Additionally, by the date the agreement in principle to settle was reached, Defendants’ two motions for summary judgment (one on loss causation and one on falsity and scienter issues) had been fully briefed as of May 4, 2016, with the parties preparing for oral argument scheduled for July 1, 2016. Moreover, the parties had virtually completed all pre-trial preparations, including filing of 23 *Daubert* motions and motions *in limine* (17 of which were filed by Class Representative and 6 by Defendants), the joint witness list, and the parties’ respective memoranda of contentions of fact and law. Further, Class Representative had served its proposed jury instructions and special verdict forms on Defendants, and the parties had exchanged and/or were negotiating their trial exhibit lists, deposition transcript designations, and the stipulated and contested facts. Additionally, the parties were in the process of drafting the final pretrial conference order and otherwise preparing for the final pretrial conference, which was set for July 6, 2016. The trial of the Action was scheduled by the Court to begin on July 19, 2016.

In 2015 and 2016, Class Counsel and Defendants’ Counsel participated in two in-person mediated settlement discussions before retired federal judges (in addition to numerous, informal conference calls with the first mediator that took place in 2013-2015). The first mediation session occurred on December 2, 2015 before the Honorable Vaughn R. Walker (Ret.), who was appointed as mediator by the Court in November 2013; the parties did not reach a settlement at that time. The second mediation occurred on May 17, 2016 before the Honorable Dickran M. Tevrizian (Ret.). Although a settlement was not reached at the May 17, 2016 mediation, discussions continued, and ultimately Judge Tevrizian made a “mediator’s proposal” to the Parties recommending a settlement amount of \$95 million. After the acceptance of the mediator’s proposal to settle, Class Counsel and Defendants’ Counsel, on behalf of their respective clients, entered into a binding term sheet, dated June 22, 2016, setting forth, among other things, the agreement to settle and release all claims asserted against the Defendants in the Action.

3. Why is this a class action?

In a class action, one or more people called plaintiffs sue on behalf of people who have similar claims. The Court must certify the action to proceed as a class action and appoint the “class representatives.” All of the individuals and entities on whose behalf the class representatives are suing are known as “class members.” Bringing a case as a class action allows the adjudication of many similar claims that might be economically too small to bring individually. One court resolves the issues in the case for all class members, except for those who choose to exclude themselves from the class (*see* Question 11 below). In this Action, the Court has appointed Connecticut Retirement to serve as the Class Representative and has appointed Labaton Sucharow LLP to serve as Class Counsel.

4. What are the reasons for the Settlement?

The Court did not finally decide in favor of Class Representative or Defendants. Instead, both sides agreed to a settlement. Class Representative agreed to the Settlement because of the certain, substantial, and immediate monetary benefit it will provide to the Class, compared to the risk that a lesser or no recovery might be achieved after a contested trial and likely appeals, possibly years into the future. For example, Defendants have raised a number of arguments and defenses that Class Representative would not be able to establish that Defendants acted with the requisite fraudulent intent. Also, even assuming Class Representative could establish liability, Defendants maintained that any potential investment losses suffered by Class Representative and Class Members were caused by known risks or external, independent factors, or company-specific factors unrelated to Defendants’ alleged violations of the federal securities laws, rather than such alleged misconduct. In the absence of a Settlement, the Parties would present factual and expert testimony on each of these issues, and there is considerable risk that the Court or jury would resolve these issues unfavorably against Class Representative and the Class. In light of the amount of the Settlement and the guaranteed recovery to the Class, Class Representative and Class Counsel believe that the proposed Settlement is fair, reasonable and adequate, and in the best interests of the Class.

Defendants have denied and continue to deny each and every one of the claims alleged by Class Representative in the Action. Defendants have taken into account the burden, expense, uncertainty, distraction, and risks inherent in any litigation, and have concluded that it is desirable that the Action be fully and finally settled upon the terms and conditions set forth in the Stipulation.

B. WHO IS IN THE SETTLEMENT

5. How do I know if I am part of the Class? Are there exceptions to being included in the Class?

The Court has certified the following Class, subject to certain exceptions identified below:

All persons and entities that purchased the publicly traded securities of Amgen Inc. during the period from April 22, 2004 through May 10, 2007, inclusive, and were damaged thereby (the “Class”).

Excluded from the Class are: (a) Defendants; (b) former Defendants; (c) the affiliates and subsidiaries of the Company, including the Company’s employee retirement and benefit plan(s); (d) the officers and directors of the Company and its subsidiaries and affiliates at all relevant times; (e) members of the immediate family of any excluded person; (f) the legal representatives, heirs, successors, and assigns of any excluded person; (g) any entity in which any excluded person has or had a controlling interest; and (h) any person or entity that submitted a timely and valid request for exclusion pursuant to the Class Notice approved by the Court on April 20, 2015 and that does not opt back into the Class (*see* Question 14 below). Also excluded from the Class will be any person or entity that seeks exclusion by timely submitting a valid request for exclusion in accordance with the requirements explained in Question 11 below.

If one of your mutual funds purchased Amgen securities during the Class Period, that does not make *you* a Class Member, although your mutual fund may be. You are eligible to be a Class Member if you individually purchased Amgen publicly traded securities during the Class Period. Amgen employees (or former employees) who individually purchased Amgen securities, or had common stock purchased on their behalf by the Amgen Retirement and Savings Plan or the Retirement and Savings Plan for Amgen Manufacturing, Limited, during the Class Period are also individually eligible to be Class Members, with the same rights and obligations as other Class Members (as described in this Settlement Notice), unless they are otherwise excluded by the definition above. Check your investment records or contact your broker to see if you have any eligible purchases.

If you only sold Amgen securities during the Class Period, your sale alone does not make you a Class Member. You are eligible to be a Class Member only if you **purchased** Amgen securities during the Class Period.

If you are still not sure whether you are included, you can ask for free help. You can call **(800) 462-2317** or visit **www.AmgenSecuritiesLitigation.com** for more information. Or you can fill out and return the Claim Form, described in Question 8, to see if you qualify.

C. THE SETTLEMENT BENEFITS

6. What does the Settlement provide?

In exchange for the Settlement and the release of the Released Claims against the Released Defendant Parties, Defendants have agreed to create a \$95,000,000 cash fund, which will earn interest, to be divided, after deduction of Court-awarded attorneys' fees and expenses, settlement administration costs, and any applicable Taxes (the "Net Settlement Fund"), among all Class Members who send in valid and timely Proofs of Claim.

7. How much will my payment be?

Your share of the Net Settlement Fund will depend on several things, including: (i) the total amount of Recognized Losses of other Class Members; (ii) the number of Amgen securities you purchased; (iii) the type of securities you bought; (iv) how much you paid for them; (v) when you bought them; and (vi) whether or when you sold your securities, and, if so, for how much.

Your Recognized Loss will be calculated according to the formulas shown below in the Plan of Allocation. It is unlikely that you will get a payment for your entire Recognized Loss, given the number of potential Class Members. After all Class Members have sent in their Proofs of Claim, the payment you get will be a portion of the Net Settlement Fund based on your Recognized Loss divided by the total of everyone's Recognized Loss. See the Plan of Allocation in Question 24 for more information on your Recognized Loss.

D. HOW TO RECEIVE A PAYMENT—SUBMITTING A PROOF OF CLAIM

8. How can I get a payment?

To qualify for a payment, you must be a member of the Class and must submit a timely and valid Claim Form. A Claim Form is being circulated with this Settlement Notice. You may also get one on the Internet at the websites for the Claims Administrator or Class Counsel: www.AmgenSecuritiesLitigation.com or www.labaton.com. The Claims Administrator can also help you if you have questions about the form. Please read the instructions carefully, fill out the Claim Form, include all the documents the form asks for, sign it, and submit it so that it is **postmarked or received on or before December 23, 2016**.

9. When will I receive my payment?

The Court will hold a Settlement Hearing on **October 25, 2016** to decide whether to approve the Settlement. Even if the Court approves the Settlement, there may still be appeals, which can take time to resolve, perhaps more than a year. It also takes time for all the Proofs of Claim to be processed. All Proofs of Claim need to be submitted by **December 23, 2016**.

Once all the Proofs of Claim are processed and claims are calculated, Class Counsel, without further notice to the Class, will apply to the Court for an order distributing the Net Settlement Fund to Class Members. Please be patient.

10. What am I giving up to get a payment and by staying in the Class?

Unless you exclude yourself, you will stay in the Class, which means that upon the "Effective Date" you will release all "Released Claims" against the "Released Defendant Parties".

"Released Claims" means any and all claims, causes of action, rights, duties, controversies, obligations, demands, actions, debts, sums of money, suits, contracts, agreements, promises, damages, losses, judgments, liabilities, allegations and arguments of every nature and description (including, but not limited to, any claims for

damages (whether compensatory, special, incidental, consequential, punitive, exemplary or otherwise), injunctive relief, declaratory relief, rescission or rescissionary damages, interest, attorneys' fees, expert or consulting fees, costs, expenses, or any other form of legal or equitable relief whatsoever), including both known claims and Unknown Claims (defined below), whether arising under federal, state, local, foreign or statutory law, common law, or administrative law, or any other law, rule or regulation, at law or in equity, whether class or individual in nature, whether fixed or contingent, whether accrued or unaccrued, whether liquidated or unliquidated, whether matured or unmatured, whether class or individual in nature, that Class Representative or any other Class Member: (i) asserted in the Action; or (ii) could have asserted in the Action, or any other action, or in any forum, that arise from, are based upon, or relate in any way to both (a) the purchase or sale of the publicly traded securities of Amgen Inc. during the Class Period and (b) the facts, matters, allegations, transactions, events, disclosures, representations, statements, conduct, acts, or omissions or failures to act that were alleged or that could have been alleged in the Action against the Released Defendant Parties. For the avoidance of doubt, Released Claims do not include (i) claims relating to the enforcement of the Settlement; (ii) *Harris v. Amgen, Inc.*, Case No. 07-CV-05442 (C.D. Cal.); (iii) *Durgin v. Sharer*, Case No. 07-CV-03001 (C.D. Cal.); (iv) *Rosenblum v. Sharer*, Case No. 07-CV-6140 (C.D. Cal.); (v) *Larson v. Sharer*, Case No. SC0 50311 (Cal. Sup. Ct. Ventura Cty.); (vi) *Anderson v. Sharer*, Case No. SC0 50313 (Cal. Sup. Ct. Ventura Cty.); (vii) *Weil v. Sharer*, Case No. 56-2007-00288830 (Cal. Sup. Ct. Ventura Cty.); and (viii) *Purnell v. Sharer*, Case No. 56-2013-00431078 (Cal. Sup. Ct. Ventura Cty.); or any case(s) consolidated with any of the cases named in this paragraph.

“Released Defendant Parties” means Defendants and Defendants' Counsel, and each of their respective past or present subsidiaries, parents, affiliates, principals, successors and predecessors, assigns, divisions, joint ventures, officers, directors, shareholders, underwriters, trustees, partners, agents, fiduciaries, contractors, employees, attorneys, advisors, accountants, auditors, insurers, personal or legal representatives; the spouses, members of the immediate families, representatives, estates, executors, administrators and heirs of the Individual Defendants, as well as any trust of which any Individual Defendant is the settlor or which is for the benefit of any of their immediate family members; any firm, trust, corporation, or entity in which any Defendant has a controlling interest; and any of the legal representatives, heirs, successors in interest or assigns of Defendants.

“Unknown Claims” means any and all Released Claims that Class Representative, or any other Class Member, does not know or suspect to exist in his, her, or its favor at the time of the release of the Released Defendant Parties, and any and all Released Defendants' Claims that any Defendant does not know or suspect to exist in his, her, or its favor at the time of the release of the Released Plaintiff Parties, which if known by him, her, or it might have affected his, her, or its decision(s) with respect to the Settlement, including the settlement with and release of the Released Defendant Parties or the Released Plaintiff Parties and any decision to object to the terms of the Settlement or to exclude himself, herself, or itself from the Class. With respect to any and all Released Claims and Released Defendants' Claims, the Parties stipulate and agree that, upon the Effective Date, Class Representative and Defendants shall expressly, and each other Class Member shall be deemed to have, and by operation of the Judgment or Alternative Judgment shall have, to the fullest extent permitted by law, expressly waived and relinquished any and all provisions, rights and benefits conferred by Section 1542 of the California Civil Code or any similar, comparable, or equivalent law of any state or territory of the United States, or principle of common law. Section 1542 reads as follows:

A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor.

Class Representative, Class Members, or Defendants may hereafter discover facts, legal theories, or authorities in addition to or different from those which any of them now knows or believes to be true with respect to the subject matter of the Released Claims and the Released Defendants' Claims, but Class Representative and Defendants shall expressly, fully, finally, and forever settle and release, and each Class Member shall be deemed to have settled and released, and upon the Effective Date and by operation of the Judgment or Alternative Judgment shall have settled and released, fully, finally, and forever, any and all Released Claims and Released Defendants' Claims as applicable, known or unknown, suspected or unsuspected, contingent or noncontingent, whether or not concealed or hidden, which now exist, or heretofore have existed, upon any theory of law or equity now existing or coming into existence in the future, including, but not limited to, conduct that is negligent, intentional, with or without malice, or a breach of any duty, law, or rule, without regard to the subsequent discovery or existence of such different or additional facts, legal theories, or authorities, whether or not previously or currently asserted in any action. Class Representative and Defendants acknowledge, and other Class Members by operation of law shall be deemed to have acknowledged, that the inclusion of “Unknown Claims” in the definition of Released Claims and Released Defendants' Claims was separately bargained for and is a material term of the Settlement of which this release is a part.

The “**Effective Date**” will occur when an Order by the Court approving the Settlement becomes Final and is not subject to appeal, as set out more fully in the Stipulation on file with the Court and available at www.AmgenSecuritiesLitigation.com or www.labaton.com.

If you remain a member of the Class, all of the Court’s orders about the Settlement and in the Action will apply to you and legally bind you.

E. EXCLUDING YOURSELF FROM THE CLASS

If you already submitted a valid and timely request for exclusion in connection with the Class Notice, ***you do not need to do so again***. If you are not certain whether you previously submitted a valid and timely request for exclusion, please contact the Claims Administrator, Epiq, at (800) 462-2317 for assistance.

If you did not previously submit a valid and timely request for exclusion and do not want a payment from this Settlement, but you want to keep any right you may have to sue or continue to sue Defendants and the other Released Defendant Parties on your own about the Released Claims, then you must take steps now to exclude yourself from the Class. This is called “opting out” of the Class. **Please note: if you decide to exclude yourself, there is a risk that any lawsuit you may file to pursue claims alleged in the Action may be dismissed, including because such suit was not filed within the applicable time periods required for filing.** Also, Defendants may withdraw from and terminate the Settlement if Class Members who have in excess of a certain number of securities exclude themselves from the Class.

11. How do I “opt out” (exclude myself) from the Class?

To exclude yourself from the Class, you must send a signed letter by mail stating that you “request exclusion from the Class in *In re Amgen Inc. Securities Litigation*, Case No. CV 07-2536 PSG (PLAx).” Your letter must include (i) your name, address, telephone number; (ii) the number of Amgen publicly traded securities you purchased and/or sold during the Class Period as well as the date(s) and price(s) of each such purchase and/or sale; and (iii) your signature. You must mail your exclusion request so that it is **received on or before October 4, 2016**, to:

Amgen Securities Litigation
EXCLUSIONS
c/o Epiq
P.O. Box 4178
Portland, OR 97208-4718

You cannot exclude yourself by telephone or by email. Your exclusion request must comply with these requirements in order to be valid. If you request to be excluded in accordance with these requirements, you will not get any payment from the Net Settlement Fund, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this Action, and you may be able to sue Defendants and the other Released Defendant Parties in the future.

12. If I do not exclude myself, can I sue Defendants or the other Released Defendant Parties for the same thing later?

No. Unless you exclude yourself from the Class, you give up any rights to sue Defendants and the other Released Defendant Parties for any and all Released Claims. If you have a pending lawsuit speak to your lawyer in that case **immediately**. **You must exclude yourself from *this* Class to continue your own lawsuit.** Remember, the exclusion deadline is **October 4, 2016**.

13. If I exclude myself, can I get money from the proposed Settlement?

No. Only Class Members who do not exclude themselves, or who opt-back into the Class, will be eligible to recover money from the Settlement.

F. OPTING-BACK INTO THE CLASS

14. What if I previously requested exclusion in connection with the Class Notice and now want to be eligible to receive a payment from the Net Settlement Fund? How do I opt-back into the Class?

If you previously submitted a timely and valid request for exclusion from the Class in connection with the Class Notice, you may opt-back into the Class and be eligible to receive a payment from the Settlement. If you are not certain whether you previously submitted a valid and timely request for exclusion, please contact the Claims Administrator, Epiq, at (800) 462-2317 for assistance.

In order to opt-back into the Class, you, individually or through counsel, must submit a written “Request to Opt-Back into the Class” to the Claims Administrator, addressed as follows: *Amgen Securities Litigation*, c/o Epiq, P.O. Box 4178, Portland, OR 97208-4178. This request must be **received on or before October 4, 2016**. Your Request to Opt-Back into the Class must (i) state the name, address, and telephone number of the person or entity requesting to opt-back into the Class; (ii) state that such person or entity “requests to opt-back into the Class in *In re Amgen Inc. Securities Litigation*, Case No. CV 07-2536 PSG (PLAx)”; and (iii) be signed by the person or entity requesting to opt-back into the Class or an authorized representative.

Please note: Opting-back into the Class in accordance with the requirements above **does not mean** that you will automatically be entitled to receive proceeds from the Settlement. If you wish to be eligible to participate in the distribution of proceeds from the Settlement, you are also required to submit the Claim Form that is being distributed with this Settlement Notice. See Question 8, above.

G. THE LAWYERS REPRESENTING YOU

15. Do I have a lawyer in this case?

The Court appointed the law firm of Labaton Sucharow LLP to represent all Class Members. These lawyers are called Class Counsel. You will not be separately charged for these lawyers. The Court will determine the amount of Class Counsel’s fees and expenses, which will be paid from the Settlement Fund. If you want to be represented by your own lawyer, you may hire one at your own expense.

16. How will the lawyers be paid?

Class Counsel has not received any payment for its services in pursuing the claims in the Action, nor has it been paid for its litigation expenses advanced in the prosecution of the Action. At the Settlement Hearing, or at such other time as the Court may order, Class Counsel will ask the Court to award it, from the Settlement Fund, attorneys’ fees of no more than 25% of the Settlement Fund, which will include any accrued interest. In addition, Class Counsel will also apply for payment of litigation expenses (such as the cost of experts) that have been incurred in pursuing the Action. The request for litigation expenses will not exceed \$7,500,000, plus interest on the expenses at the same rate as may be earned by the Settlement Fund. Class Counsel’s request for payment of litigation expenses may include a request for an award to Class Representative for reimbursement of its reasonable costs and expenses directly related to its representation of the Class pursuant to the PSLRA in an amount not to exceed a total amount of \$150,000.

H. OBJECTING TO THE SETTLEMENT, THE PLAN OF ALLOCATION, OR THE FEE AND EXPENSE APPLICATION

17. How do I tell the Court that I do not like something about the Settlement?

If you are a Class Member you can object to the Settlement or any of its terms, the proposed Plan of Allocation, and/or the Fee and Expense Application. You may write to the Parties setting out your objection and you may give reasons why you think the Court should not approve any part or all of the Settlement terms or arrangements. The Court will consider your views only if you submit a proper written objection within the deadline and according to the following procedures. To object, you must send a signed letter stating that you object to the proposed settlement in “*In re Amgen Inc. Securities Litigation*, Case No. CV 07-2536 PSG (PLAx).” Your objection must include (i) your name, address, and telephone number; (ii) a list of your transactions in Amgen publicly traded securities during the Class Period, including the amount and date of each purchase or sale, the price paid and/or received; (iii) the specific reasons why you are objecting, accompanied by any legal support for the objection; (iv) copies of any papers, briefs, or other documents upon which the objection is based; (v) a list of any persons who will be called to testify

in support of the objection; (vi) a statement of whether you intend to appear at the Settlement Hearing; (vii) a list of other cases in which you or your counsel have appeared either as settlement objectors or as counsel for objectors in the preceding five years; and (viii) your signature, even if represented by counsel. **Unless otherwise ordered by the Court, any Class Member who does not object in the manner described herein will be deemed to have waived any objection and shall be forever foreclosed from making any objection to the proposed Settlement, the Plan of Allocation, and the Fee and Expense Application.**

Your written objection must be mailed or delivered to all of the following so that it is **received by counsel on or before October 4, 2016:**

<u>Class Counsel</u>	<u>Defendants' Counsel</u>
Christopher J. McDonald LABATON SUCHAROW LLP 140 Broadway New York, NY 10005	Moez M. Kaba HUESTON HENNIGAN LLP 523 West 6th Street, Suite 400 Los Angeles, CA 90014

18. What is the difference between objecting and seeking exclusion?

Objecting is simply telling the Court that you do not like something about the Settlement, Plan of Allocation, or the Fee and Expense Application. You can object only if you are a Class Member. Excluding yourself is telling the Court that you do not want to be part of the Class. If you exclude yourself, you have no basis to object because the Settlement no longer affects you.

I. THE COURT'S SETTLEMENT HEARING

19. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Settlement Hearing at **1:30 p.m. on October 25, 2016**, in Courtroom 880 of the United States District Court for the Central District of California, Edward R. Roybal Federal Building and Courthouse, 255 East Temple Street, Los Angeles, CA 90012.

At this hearing, the Honorable Philip S. Gutierrez will consider whether the Settlement is fair, reasonable, and adequate. The Court also will consider the proposed Plan of Allocation for the Net Settlement Fund and the Fee and Expense Application. The Court will take into consideration any written objections submitted in accordance with the instructions set out in Question 17 above. The Court also may listen to people who have properly indicated, within the deadline identified above, an intention to speak at the Settlement Hearing, but decisions regarding the conduct of the Settlement Hearing will be made by the Court. *See* Question 21 for more information about speaking at the Settlement Hearing. At or after the Settlement Hearing, the Court will decide whether to approve the Settlement and, if the Settlement is approved, how much attorneys' fees and expenses should be awarded. We do not know how long these decisions will take.

You should be aware that the Court may change the date and time of the Settlement Hearing without another notice being sent. If you want to come to the hearing, you should check with Class Counsel before coming to be sure that the date and/or time has not changed.

20. Do I have to come to the Settlement Hearing?

No. Class Counsel will answer questions the Court may have. But, you are welcome to come at your own expense. Class Members do not need to appear at the Settlement Hearing or take any other action to indicate their approval. If you submit an objection, you do not have to come to Court to talk about it. As long as you sent your written objection on time, and in the manner set forth in Question 17 above, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

21. May I speak at the Settlement Hearing?

You may ask the Court for permission to speak at the Settlement Hearing. To do so, you must mail a statement (*see* Question 17 above for mailing information) that it is your "Notice of Intention to Appear in *In re Amgen Inc. Securities Litigation*, Case No. CV 07-2536 PSG (PLAx)." Persons who intend to object to the Settlement, the Plan of Allocation, and/or Class Counsel's Fee and Expense Application and desire to present evidence at the Settlement

Hearing must also include in their written objections the identity of any witness they may call to testify and exhibits they intend to introduce into evidence at the Settlement Hearing. You cannot speak at the Settlement Hearing if you excluded yourself from the Class or if you have not provided written notice of your objection and/or intention to speak at the Settlement Hearing in accordance with the procedures described in Questions 17 and 21.

J. IF YOU DO NOTHING

22. What happens if I do nothing at all?

If you do nothing and the Settlement is approved and you are a member of the Class, you will not be eligible to receive money from this Settlement but you will be bound by the Settlement, which means that you will be precluded from starting a lawsuit, continuing with a lawsuit, or being part of any other lawsuit against Defendants and the other Released Defendant Parties about the Released Claims, ever again. To share in the Net Settlement Fund you must submit a Claim Form (*see* Question 8). To start or be a part of any *other* lawsuit against Defendants and the other Defendant Released Parties about the Released Claims you *must* have already excluded yourself from the Class in connection with the Class Notice or you must exclude yourself from the Class in accordance with the requirements set forth in Question 11.

K. GETTING MORE INFORMATION

23. Are there more details about the Settlement?

This Settlement Notice summarizes the proposed Settlement. More details are in the Stipulation, dated as of July 20, 2016. You may review the Stipulation filed with the Court or documents filed in the case during business hours at the Office of the Clerk of the United States District Court for the Central District of California, Edward R. Roybal Federal Building and Courthouse, 255 East Temple Street, Los Angeles, CA 90012. Subscribers to PACER, a fee-based service, can also view the papers filed publicly in the Action through the Court's on-line Case Management/Electronic Case Files System at <https://www.pacer.gov>.

You also can call the Claims Administrator toll free at (800) 462-2317; write to *Amgen Securities Litigation*, c/o Epiq, P.O. Box 4178, Portland, OR, 97208-4178; or visit the websites of the Action or Class Counsel at www.AmgenSecuritiesLitigation.com or www.labaton.com where you can find answers to common questions about the Settlement, download copies of the Stipulation or Claim Form, and locate other information to help you determine whether you are a Class Member and whether you are eligible for a payment. **Please Do Not Call The Court With Questions About The Settlement.**

L. PLAN OF ALLOCATION OF NET SETTLEMENT FUND AMONG CLASS MEMBERS

24. How will my claim be calculated?

The \$95,000,000 Settlement Amount, and any interest it earns, is called the "Settlement Fund." The Settlement Fund, minus all Taxes, costs, fees and expenses (the Net Settlement Fund), will be distributed according to the Plan of Allocation described below to members of the Class who timely submit valid Proofs of Claim that show a Recognized Loss that are approved for payment by the Court ("Authorized Claimants"). Class Members who do not timely submit valid Proofs of Claim will not share in the Net Settlement Fund, but will otherwise be bound by the terms of the Settlement and what happens in the Action. The Court may approve the Plan of Allocation or modify it without additional notice to the Class. Any order modifying the Plan of Allocation will be posted on the settlement website at: www.AmgenSecuritiesLitigation.com and at www.labaton.com.

The objective of the Plan of Allocation explained below is to equitably distribute the Net Settlement Fund to those Class Members who suffered economic losses as a result of the alleged violations of the federal securities laws, as opposed to losses caused by market or industry factors or company-specific factors unrelated to the alleged violations of law. The Plan of Allocation reflects Class Representative's damages expert's analysis undertaken to that end, including a review of publicly available information regarding Amgen and statistical analysis of the price movements of Amgen securities and the price performance of relevant market and peer indices during the Class Period.

The Plan of Allocation, however, is not a formal damages analysis and it does not estimate how much Class Members might have been awarded had the case proceeded to trial. The calculations made pursuant to the Plan of Allocation are not intended to estimate the amounts that will be paid to Authorized Claimants pursuant to the

Settlement. The calculations pursuant to the Plan of Allocation will be made by the Claims Administrator in order to weigh the claims of Authorized Claimants against one another for the purposes of making *pro rata* allocations of the Net Settlement Fund. The Court will be asked to approve the Claims Administrator's determinations before the Net Settlement Fund is distributed to Authorized Claimants. No distribution to Authorized Claimants who would receive less than \$10.00 will be made, given the administrative expenses of processing and mailing such checks.

For losses to be compensable damages under the federal securities laws, the disclosure of the allegedly misrepresented information must be the cause of the decline in the price of the security. In this case, Class Representative alleges that Defendants issued false statements and omitted material facts during the period from April 22, 2004 through May 10, 2007, which inflated the prices of Amgen securities. It is alleged that the corrective information was released to the market beginning on May 10, 2007. Accordingly, in order to have a compensable loss, Amgen securities must have been purchased during the Class Period and held through at least one of the alleged corrective disclosures.

Defendants, their respective counsel, and all other Released Defendant Parties had no involvement in the Plan of Allocation and will have no responsibility or liability whatsoever for the investment of the Settlement Fund, the distribution of the Net Settlement Fund, the Plan of Allocation, or the payment of any claim. Class Representative and Class Counsel likewise will have no liability for their reasonable efforts to execute, administer, and distribute the Settlement.

CALCULATION OF RECOGNIZED LOSS AMOUNTS

I. Publicly Traded Amgen Common Stock¹

1. **For shares of Amgen common stock purchased during the period from April 22, 2004 through August 6, 2004, inclusive, and:**
 - a) sold prior to the opening of trading on May 10, 2007, the Recognized Loss is zero;
 - b) sold on May 10, 2007, the Recognized Loss is the lesser of:
 - (1) \$1.17 per share; or
 - (2) the purchase price per share less the sales proceeds received per share;
 - c) sold between May 11, 2007² and August 8, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) \$1.56 per share; or
 - (2) the purchase price per share less the greater of (i) the sales proceeds received per share, and (ii) the average closing price per share applicable to the date of sale as found in Table 2;³
 - d) held at the end of trading on August 8, 2007, the Recognized Loss is the lesser of:
 - (1) \$1.56 per share; or
 - (2) the purchase price per share less \$55.52.⁴
2. **For Amgen common stock purchased during the period from August 7, 2004 through December 1, 2006, inclusive, and:**
 - a) sold prior to the opening of trading on March 9, 2007, the Recognized Loss is zero;
 - b) sold between March 9, 2007 and May 9, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) \$0.85 per share; or
 - (2) the purchase price per share less the sales proceeds received per share;

¹ Table 1 summarizes the inflation amounts used in the calculation of Recognized Loss amounts herein.

² May 10, 2007 is the last day of the Class Period and May 11, 2007 is an additional day on which information allegedly correcting misstatements or omissions was disseminated to the market.

³ The average closing price of Amgen's common stock between May 11, 2007 and the date of sale. Pursuant to Section 21(D)(e)(2) of the PSLRA, "in any private action arising under this title in which the plaintiff seeks to establish damages by reference to the market price of a security, if the plaintiff sells or repurchases the subject security prior to the expiration of the 90-day period described in paragraph (1), the plaintiff's damages shall not exceed the difference between the purchase or sale price paid or received, as appropriate, by the plaintiff for the security and the mean trading price of the security during the period beginning immediately after dissemination of information correcting the misstatement or omission and ending on the date on which the plaintiff sells or repurchases the security."

⁴ The average closing price per share for the 90 days following the end of the Class Period.

- c) sold on May 10, 2007, the Recognized Loss is the lesser of:
 - (1) \$2.18 per share; or
 - (2) the purchase price per share less the sales proceeds received per share;
- d) sold between May 11, 2007 and August 8, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) \$2.62 per share; or
 - (2) the purchase price per share less the greater of (i) the sales proceeds received per share, and (ii) the average closing price per share applicable to the date of sale as found in Table 2;
- e) held at the end of trading on August 8, 2007, the Recognized Loss is the lesser of:
 - (1) \$2.62 per share; or
 - (2) the purchase price per share less \$55.52.

3. For Amgen common stock purchased during the period from December 2, 2006 through December 4, 2006, inclusive, and:

- a) sold prior to the opening of trading on February 16, 2007, the Recognized Loss is zero;
- b) sold between February 16, 2007 and March 8, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) \$1.49 per share; or
 - (2) the purchase price per share less the sales proceeds received per share;
- c) sold between March 9, 2007 and May 9, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) \$2.34 per share; or
 - (2) the purchase price per share less the sales proceeds received per share;
- d) sold on May 10, 2007, the Recognized Loss is the lesser of:
 - (1) \$3.67 per share; or
 - (2) the purchase price per share less the sales proceeds received per share;
- e) sold between May 11, 2007 and August 8, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) \$4.11 per share; or
 - (2) the purchase price per share less the greater of (i) the sales proceeds received per share, and (ii) the average closing price per share applicable to the date of sale as found in Table 2;
- f) held at the end of trading on August 8, 2007, the Recognized Loss is the lesser of:
 - (1) \$4.11 per share; or
 - (2) the purchase price per share less \$55.52.

4. For Amgen common stock purchased during the period from December 5, 2006 through January 25, 2007, inclusive, and:

- a) sold prior to the opening of trading on February 16, 2007, the Recognized Loss is zero;
- b) sold between February 16, 2007 and March 8, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) \$1.49 per share; or
 - (2) the purchase price per share less the sales proceeds received per share;
- c) sold between March 9, 2007 and May 9, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) \$2.34 per share; or
 - (2) the purchase price per share less the sales proceeds received per share;
- d) sold on May 10, 2007, the Recognized Loss is the lesser of:
 - (1) \$4.38 per share; or
 - (2) the purchase price per share less the sales proceeds received per share;

- e) sold between May 11, 2007 and August 8, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) \$5.05 per share; or
 - (2) the purchase price per share less the greater of (i) the sales proceeds received per share, and (ii) the average closing price per share applicable to the date of sale as found in Table 2;
- f) held at the end of trading on August 8, 2007, the Recognized Loss is the lesser of:
 - (1) \$5.05 per share; or
 - (2) the purchase price per share less \$55.52.

5. For Amgen common stock purchased during the period from January 26, 2007 through February 15, 2007, inclusive, and:

- a) sold prior to the opening of trading on February 16, 2007, the Recognized Loss is zero;
- b) sold between February 16, 2007 and March 8, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) \$1.49 per share; or
 - (2) the purchase price per share less the sales proceeds received per share;
- c) sold between March 9, 2007 and May 9, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) \$2.34 per share; or
 - (2) the purchase price per share less the sales proceeds received per share;
- d) sold on May 10, 2007, the Recognized Loss is the lesser of:
 - (1) \$6.26 per share; or
 - (2) the purchase price per share less the sales proceeds received per share;
- e) sold between May 11, 2007 and August 8, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) \$7.55 per share; or
 - (2) the purchase price per share less the greater of (i) the sales proceeds received per share, and (ii) the average closing price per share applicable to the date of sale as found in Table 2;
- f) held at the end of trading on August 8, 2007, the Recognized Loss is the lesser of:
 - (1) \$7.55 per share; or
 - (2) the purchase price per share less \$55.52.

6. For Amgen common stock purchased during the period from February 16, 2007 through March 8, 2007, inclusive, and:

- a) sold prior to the opening of trading on March 9, 2007, the Recognized Loss is zero;
- b) sold between March 9, 2007 and May 9, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) \$0.85 per share; or
 - (2) the purchase price per share less the sales proceeds received per share;
- c) sold on May 10, 2007, the Recognized Loss is the lesser of:
 - (1) \$4.77 per share; or
 - (2) the purchase price per share less the sales proceeds received per share;
- d) sold between May 11, 2007 and August 8, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) \$6.06 per share; or
 - (2) the purchase price per share less the greater of (i) the sales proceeds received per share, and (ii) the average closing price per share applicable to the date of sale as found in Table 2;
- e) held at the end of trading on August 8, 2007, the Recognized Loss is the lesser of:
 - (1) \$6.06 per share; or
 - (2) the purchase price per share less \$55.52.

- 7. For Amgen common stock purchased during the period from March 9, 2007 through April 18, 2007, inclusive, and:**
- a) sold prior to the opening of trading on May 10, 2007, the Recognized Loss is zero;
 - b) sold on May 10, 2007, the Recognized Loss is the lesser of:
 - (1) \$3.92 per share; or
 - (2) the purchase price per share less the sales proceeds received per share;
 - c) sold between May 11, 2007 and August 8, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) \$5.21 per share; or
 - (2) the purchase price per share less the greater of (i) the sales proceeds received per share, and (ii) the average closing price per share applicable to the date of sale as found in Table 2;
 - d) held at the end of trading on August 8, 2007, the Recognized Loss is the lesser of:
 - (1) \$5.21 per share; or
 - (2) the purchase price per share less \$55.52.
- 8. For Amgen common stock purchased during the period from April 19, 2007 through May 9, 2007, inclusive, and:**
- a) sold prior to the opening of trading on May 10, 2007, the Recognized Loss is zero;
 - b) sold on May 10, 2007, the Recognized Loss is the lesser of:
 - (1) \$4.15 per share; or
 - (2) the purchase price per share less the sales proceeds received per share;
 - c) sold between May 11, 2007 and August 8, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) \$5.52 per share; or
 - (2) the purchase price per share less the greater of (i) the sales proceeds received per share, and (ii) the average closing price per share applicable to the date of sale as found in Table 2;
 - d) held at the end of trading on August 8, 2007, the Recognized Loss is the lesser of:
 - (1) \$5.52 per share; or
 - (2) the purchase price per share less \$55.52.
- 9. For Amgen common stock purchased on May 10, 2007 and:**
- a) sold prior to the opening of trading on May 11, 2007, the Recognized Loss is zero;
 - b) sold between May 11, 2007 and August 8, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) \$1.37 per share; or
 - (2) the purchase price per share less the greater of (i) the sales proceeds received per share, and (ii) the average closing price per share applicable to the date of sale as found in Table 2;
 - c) held at the end of trading on August 8, 2007, the Recognized Loss is the lesser of:
 - (1) \$1.37 per share; or
 - (2) the purchase price per share less \$55.52.

II. Publicly Traded Call Options on Amgen Common Stock⁵

1. For call options purchased on Amgen common stock during the period from April 22, 2004 through May 10, 2007, inclusive, and:
 - a) closed (sold, exercised, or expired) prior to the opening of trading on February 16, 2007, the Recognized Loss is zero;
 - b) closed (sold, exercised, or expired) between February 17, 2007 and May 10, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) the amount set forth in Table 3 (available at www.AmgenSecuritiesLitigation.com); or
 - (2) the purchase price less the sales proceeds received (through sale, exercise, or expiration)⁶ per option;
 - c) open at the beginning of trading on May 11, 2007, the Recognized Loss is the lesser of:
 - (1) the amount set forth in Table 3 (available at www.AmgenSecuritiesLitigation.com); or
 - (2) the purchase price less the sales proceeds received (through sale, exercise, or expiration)⁷ per option.
2. Shares of Amgen common stock acquired through the exercise of a call option between April 22, 2004 and May 10, 2007, inclusive, are treated as a purchase of the common stock on the exercise date at the exercise price plus the cost of the call option.

III. Publicly Traded Put Options on Amgen Common Stock

1. For put options written (sold) on Amgen common stock during the period from April 22, 2004 through May 10, 2007, inclusive, and:
 - a) closed (purchased, exercised, or expired) prior to the opening of trading on February 16, 2007, the Recognized Loss is zero;
 - b) closed (purchased, exercised, or expired) between February 17, 2007 and May 10, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) the amount set forth in Table 3 (available at www.AmgenSecuritiesLitigation.com); or
 - (2) the amount paid (through purchase, exercise, or expiration of the put option)⁸ less the amount received (through writing of the put option) per option;
 - c) open at the beginning of trading on May 11, 2007, the Recognized Loss is the lesser of:
 - (1) the amount set forth in Table 3 (available at www.AmgenSecuritiesLitigation.com); or
 - (2) the amount paid (through purchase, exercise, or expiration of the put option) less the amount received (through writing of the put option)⁹ per option.
2. Shares of Amgen common stock acquired between April 22, 2004 and May 10, 2007, inclusive, through the exercise of a put option by the holder of the put option (*i.e.*, put or exercised by the put option holder) are treated as a purchase of the common stock on the exercise date at the exercise price less the cost of the put option.

IV. Publicly Traded Amgen Bonds

1. For Amgen 0.125% Convertible Senior Notes Due February 1, 2011 issued in the November 9, 2006 Note Offering (CUSIP: 031162AN0) purchased during the Class Period, and:
 - a) sold prior to the opening of trading on February 16, 2007, the Recognized Loss is zero;

⁵ Exchange-traded call and put options are traded in units called “contracts,” where 100 shares of common stock are traded when one option contract is exercised. All price quotations for call options in this Plan of Allocation are based on the per-share price of Amgen common stock, or 1/100 of an option contract. Recognized Loss amounts are calculated based on the Black-Scholes option pricing formula. No more than 5% of the Net Settlement Fund will be allocated to options on Amgen common stock.

⁶ For expired unexercised call options, the exercise proceeds received are zero.

⁷ For expired unexercised call options, the exercise proceeds received are zero.

⁸ For expired unexercised put options, the Recognized Loss is zero.

⁹ For expired unexercised put options, the Recognized Loss is zero.

- b) sold between February 17, 2007 and May 10, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) the amount set forth in Table 4 below,
 - (2) the purchase price per note less the sales proceeds received per note;
 - c) held at the end of trading on May 10, 2007, the Recognized Loss is:
 - (1) the amount set forth in Table 4 below.
2. For Amgen 0.375% Convertible Senior Notes Due February 1, 2013 issued in the November 9, 2006 Note Offering (CUSIP: 031162AQ3) purchased during the Class Period, and:
- a) sold prior to the opening of trading on February 16, 2007, the Recognized Loss is zero;
 - b) sold between February 17, 2007 and May 10, 2007, inclusive, the Recognized Loss is the lesser of:
 - (1) the amount set forth in Table 5 below; or
 - (2) the purchase price per note less the sales proceeds received per note;
 - c) held at the end of trading on May 10, 2007, the Recognized Loss is:
 - (1) the amount set forth in Table 5 below.

ADDITIONAL PROVISIONS

The formulas described above for calculating Recognized Losses are not intended to estimate the amount that will actually be paid to Authorized Claimants. Rather, these formulas provide the basis on which the Net Settlement Fund will be distributed on a *pro rata* basis among Authorized Claimants. An Authorized Claimant's Recognized Loss shall be the amount used to calculate the Authorized Claimant's *pro rata* share of the Net Settlement Fund. The *pro rata* share shall be the Authorized Claimant's Recognized Loss divided by the total of the Recognized Losses of all Authorized Claimants, multiplied by the total amount in the Net Settlement Fund.

If a Class Member has more than one purchase or sale of Amgen securities during the Class Period, all purchases and sales shall be matched on a First In, First Out ("FIFO") basis. Class Period sales will be matched first against any holdings at the beginning of the Class Period and then against purchases in chronological order, beginning with the earliest purchase made during the Class Period.

Purchases and sales of Amgen securities shall be deemed to have occurred on the "contract" or "trade" date as opposed to the "settlement" or "payment" date. The receipt or grant by gift, inheritance or operation of law of Amgen securities during the Class Period shall not be deemed a purchase or sale of these securities for the calculation of an Authorized Claimant's Recognized Loss. Nor shall the receipt or grant be deemed an assignment of any claim relating to the purchase of such Amgen securities unless (i) the donor or decedent purchased such securities during the Class Period; (ii) no Claim Form was submitted by or on behalf of the donor, on behalf of the decedent, or by anyone else with respect to such securities; and (iii) the instrument of gift or assignment specifically provides that it is intended to transfer such rights.

In accordance with the Plan of Allocation, the Recognized Loss amount on any portion of a purchase that matches against (or "covers") a "short sale" is zero. The Recognized Loss amount on a "short sale" that is not covered by a purchase is also zero. In the event that a claimant has an opening short position in Amgen securities at the start of the Class Period, the earliest Class Period purchases shall be matched against such opening short position in accordance with the FIFO matching described above and any portion of such purchases that covers such short sales will not be entitled to a recovery. In the event that a claimant newly establishes a short position during the Class Period, the earliest subsequent Class Period purchase shall be matched against such short position on a FIFO basis and will not be entitled to a recovery.

The Claims Administrator will determine if a claimant had an overall market gain or loss with respect to his, her, or its overall transactions in eligible Amgen securities during the Class Period. For purposes of making this calculation, the Claims Administrator shall determine the difference between (i) the Total Purchase Amount and (ii) the sum of the Sales Proceeds and the Holding Value.¹⁰ This difference will be deemed a claimant's overall market

¹⁰ The "Total Purchase Amount" is the total amount the claimant paid (excluding all fees, taxes and commissions) for all eligible Amgen securities purchased or acquired during the Class Period. The "Sales Proceeds" is the total amount received for eligible Amgen securities sold during the Class Period. The proceeds of sales matched to a claimant's opening position will not be considered for purposes of calculating market gains or losses. The Claims Administrator shall ascribe a "Holding Value" of \$56.30 per share for common stock, \$91.25 for the 0.125% senior notes, and \$89.75 for the 0.375% senior notes purchased during the Class Period and still held as of the close of trading on May 11, 2007.

gain or loss with respect to his, her or its transactions in eligible Amgen securities. If a claimant has an overall market gain, the claimant's total Recognized Loss will be zero. To the extent that a claimant suffered an overall market loss, but that market loss was less than the total of all Recognized Loss amounts calculated above, then the claimant's total Recognized Loss shall be limited to the amount of the overall market loss.

If the Net Settlement Fund exceeds the sum total amount of the Recognized Losses of all Authorized Claimants entitled to receive payment out of the Net Settlement Fund, the excess amount in the Net Settlement Fund shall be distributed *pro rata* to all Authorized Claimants entitled to receive payment.

Distributions to eligible Authorized Claimants will be made after all claims have been processed and after the Court has approved the Claims Administrator's determinations. After an initial distribution of the Net Settlement Fund, if there is any balance remaining in the Net Settlement Fund after at least six (6) months from the date of initial distribution of the Net Settlement Fund (whether by reason of tax refunds, uncashed checks or otherwise) and after the payment of any outstanding Notice and Administration Expenses, Taxes, and attorneys' fees and expenses, if any, Class Counsel shall, if feasible and economical, redistribute such balance among Authorized Claimants who have cashed their checks in an equitable and economic fashion until it is no longer economically feasible to do so. Any balance which still remains in the Net Settlement Fund after redistribution(s) and after payment of any Notice and Administration Expenses and Taxes, if any, shall be contributed to non-sectarian, not-for-profit charitable organization(s) designated by Class Representative and approved by the Court.

Payment in this manner will be deemed conclusive against all Authorized Claimants. A Recognized Loss will be calculated as defined herein and cannot be less than zero. Each claimant is deemed to have submitted to the jurisdiction of the United States District Court for the Central District of California with respect to his, her, or its Claim Form.

M. SPECIAL NOTICE TO SECURITIES BROKERS AND OTHER NOMINEES

In the Class Notice you were advised that if, for the beneficial interest of any person or entity other than yourself, you purchased Amgen securities during the period from April 22, 2004 through May 10, 2007, inclusive, you must either: (a) request from the Claims Administrator sufficient copies of the Class Notice to forward to all such beneficial owners, and forward them to all such beneficial owners; or (b) provide a list of the names and addresses of all such beneficial owners to the Claims Administrator.

If you chose the first option, i.e., you elected to mail the Class Notice directly to beneficial owners, you were advised that you must retain the mailing records for use in connection with any further notices that may be provided in the Action. If you elected this option, the Claims Administrator will forward the same number of Settlement Notices and Proof of Claim and Release Forms (together, the "Claim Packet") to you to send to the beneficial owners **WITHIN SEVEN (7) CALENDAR DAYS** of receipt of the Claim Packets. If you require more copies than you previously requested, please contact Epiq at (800) 462-2317 and let them know how many additional Claim Packets you require. You must mail the Claim Packets to the beneficial owners **WITHIN SEVEN (7) CALENDAR DAYS** of your receipt of the packets.

If you chose the second option, the Claims Administrator will send a copy of the Claim Packet to the beneficial owners whose names and addresses you previously supplied. Unless you have identified additional beneficial owners whose names you did not previously provide, **you need do nothing further at this time.** If you believe that you have identified additional beneficial owners **whose names you did not previously provide** to the Claims Administrator, you must either (a) **WITHIN SEVEN (7) CALENDAR DAYS** of receipt of the Claim Packet, provide a list of the names and addresses of all such beneficial owners to the Claims Administrator at *Amgen Securities Litigation*, c/o Epiq, P.O. Box 4178, Portland, OR, 97208-4178; or (b) **WITHIN SEVEN (7) CALENDAR DAYS** of receipt of the Claim Packet, request from the Claims Administrator sufficient copies of the Claim Packet to forward to all such beneficial owners which you shall, **WITHIN SEVEN (7) CALENDAR DAYS** of receipt of the Claim Packet from the Claims Administrator, mail to the beneficial owners. If you elect to send the Claim Packet to beneficial owners you shall also send a statement to the Claims Administrator confirming that the mailing was made and shall retain your mailing records for use in connection with any further notices that may be provided in the Action.

Upon full compliance with these directions, you may seek reimbursement of your reasonable expenses actually incurred, by providing the Claims Administrator with proper documentation supporting the expenses for which reimbursement is sought. Copies of this Settlement Notice and the Claim Form may also be obtained from the website for this Action, www.AmgenSecuritiesLitigation.com, or by calling the Claims Administrator at (800) 462-2317.

Dated: August 25, 2016

BY ORDER OF THE COURT
 UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

TABLE 1
Alleged Inflation Dissipation Per Share for Amgen Common Stock

Purchase Date	Sale Date			
	2/16/2007 to 3/8/2007	3/9/2007 to 5/9/2007	5/10/2007	Retained after 5/11/2007
4/22/2004 to 08/06/2004	\$0.00	\$0.00	\$1.17	\$1.56
8/7/2004 to 12/01/2006	\$0.00	\$0.85	\$2.18	\$2.62
12/2/2006 to 12/04/2006	\$1.49	\$2.34	\$3.67	\$4.11
12/5/2006 to 01/25/2007	\$1.49	\$2.34	\$4.38	\$5.05
1/26/2007 to 02/15/2007	\$1.49	\$2.34	\$6.26	\$7.55
2/16/2007 to 03/08/2007	\$0.00	\$0.85	\$4.77	\$6.06
3/9/2007 to 04/18/2007	\$0.00	\$0.00	\$3.92	\$5.21
4/19/2007 to 05/09/2007	\$0.00	\$0.00	\$4.15	\$5.52
5/10/2007	\$0.00	\$0.00	\$0.00	\$1.37

TABLE 2
Amgen Common Stock Price and Rolling Average Closing Price
from May 11, 2007 through August 8, 2007

Calendar Day	Closing Price	Rolling Average Closing Price	Calendar Day	Closing Price	Rolling Average Closing Price
5/11/2007	\$56.30	\$56.30	6/25/2007	\$55.86	\$56.24
5/12/2007	N/A	56.30	6/26/2007	55.10	56.20
5/13/2007	N/A	56.30	6/27/2007	55.50	56.18
5/14/2007	56.07	56.19	6/28/2007	55.31	56.15
5/15/2007	54.01	55.46	6/29/2007	55.29	56.13
5/16/2007	54.33	55.18	6/30/2007	N/A	56.13
5/17/2007	53.68	54.88	7/1/2007	N/A	56.13
5/18/2007	54.04	54.74	7/2/2007	55.24	56.10
5/19/2007	N/A	54.74	7/3/2007	55.19	56.08
5/20/2007	N/A	54.74	7/4/2007	N/A	56.08
5/21/2007	54.18	54.66	7/5/2007	54.86	56.05
5/22/2007	53.96	54.57	7/6/2007	54.82	56.02
5/23/2007	54.74	54.59	7/7/2007	N/A	56.02
5/24/2007	54.57	54.59	7/8/2007	N/A	56.02
5/25/2007	54.55	54.58	7/9/2007	54.55	55.98
5/26/2007	N/A	54.58	7/10/2007	54.29	55.94
5/27/2007	N/A	54.58	7/11/2007	55.13	55.92
5/28/2007	N/A	54.58	7/12/2007	55.95	55.92
5/29/2007	54.61	54.59	7/13/2007	56.93	55.94
5/30/2007	55.26	54.64	7/14/2007	N/A	55.94
5/31/2007	56.45	54.77	7/15/2007	N/A	55.94
6/1/2007	56.94	54.91	7/16/2007	56.03	55.94
6/2/2007	N/A	54.91	7/17/2007	55.59	55.94
6/3/2007	N/A	54.91	7/18/2007	55.80	55.93
6/4/2007	56.91	55.04	7/19/2007	55.57	55.93
6/5/2007	57.61	55.19	7/20/2007	56.18	55.93
6/6/2007	57.29	55.31	7/21/2007	N/A	55.93
6/7/2007	56.64	55.38	7/22/2007	N/A	55.93
6/8/2007	57.37	55.48	7/23/2007	56.80	55.95
6/9/2007	N/A	55.48	7/24/2007	56.44	55.96
6/10/2007	N/A	55.48	7/25/2007	57.16	55.98
6/11/2007	57.41	55.57	7/26/2007	56.16	55.98
6/12/2007	57.46	55.65	7/27/2007	55.62	55.98
6/13/2007	58.14	55.76	7/28/2007	N/A	55.98
6/14/2007	58.23	55.86	7/29/2007	N/A	55.98
6/15/2007	59.03	55.99	7/30/2007	56.19	55.98
6/16/2007	N/A	55.99	7/31/2007	53.74	55.94

Calendar Day	Closing Price	Rolling Average Closing Price	Calendar Day	Closing Price	Rolling Average Closing Price
6/17/2007	N/A	55.99	8/1/2007	52.09	55.87
6/18/2007	58.61	56.09	8/2/2007	51.44	55.80
6/19/2007	58.13	56.17	8/3/2007	50.90	55.71
6/20/2007	57.70	56.22	8/4/2007	N/A	55.71
6/21/2007	57.27	56.26	8/5/2007	N/A	55.71
6/22/2007	55.96	56.25	8/6/2007	51.77	55.65
6/23/2007	N/A	56.25	8/7/2007	51.39	55.58
6/24/2007	N/A	56.25	8/8/2007	52.00	55.52

TABLE 3

(posted at www.AmgenSecuritiesLitigation.com due to length.)

TABLE 4

Alleged Inflation Dissipation for 0.125% Convertible Senior Notes due February 1, 2011 (CUSIP: 031162AN0)

Purchase Date	Sale Date		
	2/16/2007 to 3/8/2007	3/9/2007 to 5/9/2007	Sold on 5/10/2007 or Retained after 5/10/2007
(Issued on) 11/9/2006 to 12/1/2006	\$0.00	\$1.07	\$2.11
12/2/2006 to 12/04/2006	\$1.11	\$2.18	\$3.22
12/5/2006 to 01/25/2007	\$1.11	\$2.18	\$3.68
1/26/2007 to 02/15/2007	\$1.11	\$2.18	\$4.90
2/16/2007 to 03/08/2007	\$0.00	\$1.07	\$3.79
3/9/2007 to 04/18/2007	\$0.00	\$0.00	\$2.72
4/19/2007 to 05/09/2007	\$0.00	\$0.00	\$2.87
5/10/2007	\$0.00	\$0.00	\$0.00

TABLE 5
Alleged Inflation Dissipation for 0.375% Convertible Senior Notes
due February 1, 2013 (CUSIP: 031162AQ3)

Purchase Date	Sale Date		
	2/16/2007 to 3/8/2007	3/9/2007 to 5/9/2007	Sold on 5/10/2007 or Retained after 5/10/2007
(Issued on) 11/9/2006 to 12/1/2006	\$0.00	\$0.67	\$1.75
12/2/2006 to 12/04/2006	\$1.21	\$1.88	\$2.96
12/5/2006 to 01/25/2007	\$1.21	\$1.88	\$3.51
1/26/2007 to 02/15/2007	\$1.21	\$1.88	\$4.97
2/16/2007 to 03/08/2007	\$0.00	\$0.67	\$3.76
3/9/2007 to 04/18/2007	\$0.00	\$0.00	\$3.09
4/19/2007 to 05/09/2007	\$0.00	\$0.00	\$3.27
5/10/2007	\$0.00	\$0.00	\$0.00