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October 4, 2005

VIA ELECTRONIC FILING

The Honorable Sue L. Robinson
United States District Court
District of Delaware
844 King Street
Wilmington, DE 19801

Re: *King Pharmaceuticals Research and Development, Inc. et al. v. Sicor, Inc.*, D. Del., C.A. No. 05-337-SLR

Your Honor:

Enclosed please find the Scheduling Order to which the parties have agreed. Paragraph 2(d) contains the following language:

(d) Sicor must inform King and Astellas as to whether it intends to rely on the advice of counsel as a defense to willful infringement by February 21, 2006. If the decision is to rely on such defense, the scope of discovery shall include all of the information Sicor possessed, prior to or at the time Sicor obtained opinions of counsel, as to the subject matters discussed in such opinions.

If this language and the rest of the Order meet with the Court's approval, we ask that Your Honor sign it.

Respectfully,

/s/ Richard K. Herrmann

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cc: John Shaw, Esq. (via electronic filing)
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