IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

VANDERBILT UNIVERSITY, Plaintiff, v. ICOS CORPORATION, Defendant.	Civil Action No.: 05-506-SLR

PLAINTIFF'S MOTION FOR ORDER COMPELLING
DEPOSITION TESTIMONY OF KENNETH M. FERGUSON, PHD

CONFIDENTIAL – FILED UNDER SEAL SUBJECT TO PROTECTIVE ORDER

Dated: November 22, 2006

BIFFERATO, GENTILOTTI,
BIDEN & BALICK, L.L.C.

Vincent A. Bifferato, Jr. (#2465)
Ian Connor Bifferato (#3273)
Joseph K. Koury (#4272)
1308 Delaware Avenue
Wilmington, Delaware 19806
(302) 429-1900

-and-

Robert S. Brennen
Donald E. English, Jr.
MILES & STOCKBRIDGE P.C.
10 Light Street
Baltimore, Maryland 21202
(410) 727-6464

Attorneys for Plaintiff, Vanderbilt University

CERTIFICATE OF SERVICE

I, Joseph K. Koury, hereby certify that on this, the 22nd day of November, 2006, copies of the foregoing PLAINTIFF'S MOTION FOR ORDER COMPELLING DEPOSITION TESTIMONY OF KENNETH M. FERGUSON, PHD (Confidential – Filed Under Seal) were caused to be served upon the following by email and mail:

Richard K. Herrmann, Esq.
Mary B. Matterer, Esq.
Morris James Hitchens & Williams LLP
222 Delaware Ave., 10th Floor
Wilmington, DE 19801

Michael F. Borun, Esq.
Kevin M. Flowers, Esq.
Thomas I. Ross, Esq.
Rashmi V. Gupta, Esq.
Jennifer E. Flory, Esq.
Marshall, Gerstein & Borun LLP
6300 Sears Tower, 233 S. Wacker Drive
Chicago, IL 60606-6357

Joseph K. Koury (#4272)