IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ASTRAZENECA AB, AKTIEBOLAGET HÄSSLE, KBI-E, INC., KBI, INC. and ASTRAZENECA LP, Plaintiffs, v. DEXCEL LTD., DEXXON LTD., DEXCEL PHARMA TECHNOLOGIES LTD. and CIPLA, LTD. Defendants.	)	Civil Action No. 06-358 (SLR)

NOTICE OF FED.R.CIV.P. 30(b)(6) DEPOSITION OF ASTRAZENECA LP

TO:

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PLEASE TAKE NOTICE that defendants Dexcel Pharma Technologies, Ltd., *et al.*, will take the deposition pursuant to Fed.R.Civ.P. 30(b)(6) of Astrazeneca LP at Milbank, Tweed, Hadley & McCloy LLP, One Chase Manhattan Plaza, New York, New York 10005-1413, commencing on March 29, 2007, at 9:00 am, or at such other place and time as may be agreed upon by counsel, and continuing from day to day thereafter until completed. The deposition will be recorded stenographically and may be videotaped. One or more of defendant's counsel may appear telephonically. Astrazeneca LP is not a natural person.

The subjects covered in the deposition will include (but are not limited to) the subjects listed on Appendix A to this notice. Pursuant to Fed. R. Civ. P. 30(b)(6), Astrazeneca AB is required to designate one or more persons to testify at the deposition as to the matters known or reasonably available to Astrazeneca LP concerning all topics listed in Appendix A to this notice.

You are invited to attend and cross examine.

March 20, 2007

THE BAYARD FIRM

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APPENDIX A

DEFINITIONS

A. "Plaintiffs" means Plaintiffs, ASTRAZENECA AB, AKTIEBOLAGET HÄSSLE, KBI-E, INC., KBI, INC. and ASTRAZENECA LP, their past or present officers, directors, employees, shareholders, representatives, agents, attorneys and outside consultants, as well as any past or present predecessors, successors, parents, subsidiaries, or affiliates thereof, whether domestic or foreign, whether owned in whole or in part.

B. "Astrazeneca" means Astrazeneca LP and its past or present officers, directors, employees, shareholders, representatives, agents, attorneys and outside consultants, as well as any past or present predecessors, successors, parents, subsidiaries, or affiliates thereof, whether domestic or foreign, whether owned in whole or in part.

C. "Cipla" means Cipla Ltd. and its past or present officers, directors, employees, shareholders, representatives, agents, attorneys and outside consultants, as well as any past or present predecessors, successors, parents, subsidiaries, or affiliates thereof, whether domestic or foreign, whether owned in whole or in part.

D. "Andrx" means Andrx Corporation and its past or present officers, directors, employees, shareholders, representatives, agents, attorneys and outside consultants, as well as any past or present predecessors, successors, parents, subsidiaries, or affiliates thereof, whether domestic or foreign, whether owned in whole or in part.

E. "AAIPharma" means AAIPharma Inc. and its past or present officers, directors, employees, shareholders, representatives, agents, attorneys and outside consultants, as well as any past or present predecessors, successors, parents, subsidiaries, or affiliates thereof, whether domestic or foreign, whether owned in whole or in part.

F. "the '251 application" means U.S. Patent Application 09/202,251.

G. "the '380 patent" means U.S. Patent No. 6,150,380.

H. "omeprazole Form A" means a form of omeprazole as defined by claim 1 of the '380 patent.

I. "omeprazole Form B" means a form of omeprazole as described in Col. 1 of the '380 patent.

J. "the '505 patent" means U.S. Patent No. 4,786,505.

K. "the '230 patent" means U.S. Patent No. 4,853,230.

DEPOSITION TOPICS

1. The '380 patent, including without limitation the conception, design, and development of each alleged invention claimed therein, the dates of conception and reduction to practice of each alleged invention claimed therein, the identity of all facts and documents which relate to establishing such dates of conception and reduction to practice, the licenses or other agreements with any person relating thereto, and the prosecution thereof as well as each and every U.S. patent application claiming priority, directly or indirectly, thereto, including but not limited to Astrazeneca's knowledge relating to the content and basis for the Declaration of Frans W. Langkilde filed with the U.S. Patent Office in Application No. 09/202,251.

2. The Information Disclosure Statement dated April 28, 2000 and filed with the United States Patent and Trademark Office during the prosecution of the '251 application, the source of the information set forth therein, the identification of those persons involved in the preparation thereof, the identity of any documents relating to or reflecting the work described therein, including but not limited to the "analysis of batch

samples" and the nature and identity of all documents evidencing, referring or otherwise relating thereto, and whether such Information Disclosure Statement was prepared in the ordinary course of business by persons having knowledge of the information set forth therein.

3. The nature and identity of analyses undertaken by Astrazeneca and intended to determine the presence of 6-methoxy-2-[[4-methoxy-3,5-dimethyl-2-pyridinyl)methyl]sulfinyl]-1H-benzimidazole alone or together with 5-methoxy-2-[[4-methoxy-3,5-dimethyl-2-pyridinyl)methyl]sulfinyl]-1H-benzimidazole in any omeprazole product or composition sold or offered for sale in the United States prior to November 10, 1997.

4. Plaintiffs' methods and conditions for storage of omeprazole and formulations containing omeprazole, including but not limited to Prilosec® samples, for each year beginning in 1983 and ending in 2007.

5. All communications between Astrazeneca and any entity, including but not limited to AAIPharma, Merck, Andrx, and Cipla, concerning prior art or alleged prior art to the '380 patent.

6. Astrazeneca's knowledge of, or investigation into the potential of, the production, incidental or otherwise, sale, or use of omeprazole Form A, alone or together with Form B, prior to November 10, 1997, and all communications between Astrazeneca and any entity, including but not limited to AAIPharma, Merck, Andrx, and Cipla, related to thereto.

7. Astrazeneca's knowledge of products comprising omeprazole Form A, alone or together with Form B, that were sold or offered for sale in the United States prior to November 10, 1997.

8. Astrazeneca's knowledge relating to the amount of 6-methoxy-2-[[4-methoxy-3,5-dimethyl-2-pyridinyl)methyl]sulfinyl]-1H-benzimidazole relative to the amount of 5-methoxy-2-[[4-methoxy-3,5-dimethyl-2-pyridinyl)methyl]sulfinyl]-1H-benzimidazole present in omeprazole Form A and omeprazole Form B.

9. Astrazeneca's knowledge relating to physical mixtures of omeprazole Form A and omeprazole Form B and physical mixtures of 6-methoxy-2-[[4-methoxy-3,5-dimethyl-2-pyridinyl)methyl]sulfinyl]-1H-benzimidazole and 5-methoxy-2-[[4-methoxy-3,5-dimethyl-2-pyridinyl)methyl]sulfinyl]-1H-benzimidazole, including but not limited to the X-ray powder diffraction patterns and Raman spectra thereof.

10. Astrazeneca's knowledge relating to crystalline forms of omeprazole containing co-crystallized 6-methoxy-2-[[4-methoxy-3,5-dimethyl-2-pyridinyl)methyl]sulfinyl]-1H-benzimidazole and 5-methoxy-2-[[4-methoxy-3,5-dimethyl-2-pyridinyl)methyl]sulfinyl]-1H-benzimidazole, including but not limited to the X-ray powder diffraction patterns and Raman spectra thereof.

11. Astrazeneca's knowledge relating to the relative amounts of 6-methoxy-2-[[4-methoxy-3,5-dimethyl-2-pyridinyl)methyl]sulfinyl]-1H-benzimidazole and 5-methoxy-2-[[4-methoxy-3,5-dimethyl-2-pyridinyl)methyl]sulfinyl]-1H-benzimidazole present in the crystal form of omeprazole published by Ohishi et al., Acta Cryst. (1989), C45, 1921-23 referred to in the specification of the '380 patent.

12. Astrazeneca's knowledge relating to the relative amounts of 6-methoxy-2-[[4-methoxy-3,5-dimethyl-2-pyridinyl)methyl]sulfinyl]-1H-benzimidazole and 5-methoxy-2-[[4-methoxy-3,5-dimethyl-2-pyridinyl)methyl]sulfinyl]-1H-benzimidazole present in the US Pharmacopeia Reference Standard Lots A-F, including but not limited to the X-ray powder diffraction patterns and Raman spectra thereof.

13. Astrazeneca's knowledge relating to the methods of production of omeprazole, omeprazole formulations, and any other products covered by the '380 patent, as practiced by AstraZeneca and Merck for the period beginning 1983 and ending 1998, including but not limited to the production methods set forth in the Drug Master File relating to omeprazole and in the New Drug Application relating to Prilosec®, and the licenses or other agreements with any person relating to such methods of production..

14. Astrazeneca's knowledge relating to the presence of omeprazole Form A in the Prilosec product as currently or ever manufactured.

15. Astrazeneca's knowledge relating to the effect of, or investigation concerning the potential effect of, tablet formation steps including but not limited to granulation on the conversion of omeprazole Form A to omeprazole Form B, and the conversion of 6-methoxy-2-[[4-methoxy-3,5-dimethyl-2-pyridinyl)methyl]sulfinyl]-1H-benzimidazole to 5-methoxy-2-[[4-methoxy-3,5-dimethyl-2-pyridinyl)methyl]sulfinyl]-1H-benzimidazole.

16. Astrazeneca's knowledge relating to, and the factual basis for, Astrazeneca's Responses to Defendants Interrogatory Nos. 1-3, and 6 on the Merits.

17. The identity and nature of, and the work underlying, the spreadsheets produced with the following Bates numbers: POTC0003922-POTC0003933,

POTC0000639-POTC0000646, POTC0001376-POTC0001383, and POTC0002247-POTC0002252.

18. Astrazeneca's knowledge of reports, studies, investigations and/or opinions, written or oral, concerning the validity, enforceability or infringement of the '380 patent.

19. Astrazeneca's knowledge relating to testing of any of Defendants' omeprazole products.

CERTIFICATE OF SERVICE

The undersigned counsel certifies that, on March 20, 2007, he electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will send automatic notification of the filing to the following:

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The undersigned counsel further certifies that, on March 20, 2007, copies of the foregoing document were sent by email and hand to the above local counsel and by email and first class mail to the following non-registered participant:

Errol B. Taylor, Esq.
Robert J. Koch, Esq.
Jay I. Alexander, Esq.
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