IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ELAN PHARMA INTERNATIONAL LIMITED, Plaintiff, v. ABRAXIS BIOSCIENCE, INC., Defendant.	)	C.A No. 06-438-GMS

INTERIM ORDER REGARDING SECRET
ABRAXANE MANUFACTURING INFORMATION

WHEREAS Elan Pharma International, Limited ("Elan") requests expedited attorney access to (1) information regarding the details of Abraxis's manufacturing process for Abraxane® ("Secret Abraxane Manufacturing Information"), and (2) Abraxane laboratory notebooks that may contain Secret Abraxane Manufacturing Information, while the parties negotiate and the Court enters a comprehensive Amended Stipulated Protective Order regarding the treatment of Secret Abraxane Manufacturing Information; and

WHEREAS Abraxis BioScience, Inc. ("Abraxis") desires to accommodate such expedited access, but does not agree to disclose Secret Abraxane Manufacturing Information without entry of the additional protections of this Interim Order;

IT IS HEREBY STIPULATED AND AGREED, by and between Elan and Abraxis that the following Interim Order Regarding Secret Abraxane Manufacturing Information should be entered by the Court:

Abraxis will provide those sections of its NDA and INDA for Abraxane® containing Secret Abraxane Manufacturing Information, to the third party vendor

Intralinks, who shall make those sections available for viewing on its website to five identified Elan Outside Counsel (Paul F. Fehlner, William J. Sipio, Lisa A. Chiarini, Robert Riddle and Jennifer Cozeolino) ("Approved Outside Counsel"). Each Approved Outside Counsel shall execute the written agreement in Exhibit A annexed hereto and provide the original signed agreement to counsel for Abraxis prior to having access to any of the Secret Abraxane Manufacturing Information. Electronic versions maintained for viewing by the Approved Outside Counsel shall be kept in a secure computer network to prevent viewing except by the Approved Outside Counsel.

Abraxis will make available at locations to be determined in Los Angeles and Chicago hard copies of the Abraxane® laboratory notebooks of each individual identified by Elan in its May 29, 2007 letter regarding Abraxis's laboratory notebooks ("Identified Laboratory Notebooks"), including those Identified Laboratory Notebooks containing Secret Abraxane Manufacturing Information, for review, under supervision of a Morrison & Foerster employee, by the Approved Outside Counsel from June 13-18, 2007 between the hours of 8:00 a.m. to 7 p.m. each day.

The Approved Outside Counsel shall not disclose or discuss the Secret Abraxane Manufacturing Information with anyone except other Approved Outside Counsel, counsel for Abraxis, or Court personnel, without prior written consent by Abraxis, or upon court order.

The Approved Outside Counsel shall not copy, print or otherwise reproduce any document made available through Intralinks or any Identified Laboratory

Notebook, except upon written consent by Abraxis, or upon court order. The Approved Outside Counsel, however, shall be allowed to copy the Identified Laboratory Notebook number, inventor's name, and page numbers corresponding to the relevant portions of the Identified Laboratory Notebook to log the review by the Approved Outside Counsel, which will expedite a later request for hard copies, as discussed below.

Elan may request hard copies by identifying relevant portions of the NDA or INDA or Identified Laboratory Notebooks. Upon identification and request for copying of any relevant portion of any document made available through Intralinks or any Identified Laboratory Notebook, Abraxis will promptly produce to Elan hard copies of those non-privileged portions of the document that do not contain Secret Abraxane Manufacturing Information, subject to the Stipulated Protective Order and any amendment thereto. Those portions of the requested documents that contain Secret Abraxane Manufacturing Information will be promptly posted on the Intralinks website and made available for viewing by the Approved Outside Counsel, and promptly produced as shall be specified in any Amended Stipulated Protective Order entered by the Court regarding the treatment of Secret Abraxane Manufacturing Information.

SO ORDERED this 12th day of June, 2007.

United States District Judge

FILED
JUN 12 2007
U.S. DISTRICT COURT
DISTRICT OF DELAWARE

EXHIBIT A

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ELAN PHARMA INTERNATIONAL LIMITED, Plaintiff, v. ABRAXIS BIOSCIENCE, INC., Defendant.	Case No. 06-438-GMS **AGREEMENT CONCERNING SECRET ABRAXANE MANUFACTURING INFORMATION SUBJECT TO INTERIM ORDER**

I have read and am fully familiar with the terms of the stipulated Interim Order Regarding Secret Abraxane Manufacturing Information ("Interim Order") in the above-captioned litigation.

I agree to comply with and to be bound by all the terms of this Interim Order, and I understand and acknowledge that failure to so comply could expose me to sanctions and punishment in the nature of contempt. I agree that I will not disclose in any manner any information or item that is subject to this Interim Order to any person or entity except in strict compliance with the provisions of this Interim Order.

I agree to submit to the jurisdiction of the United States District Court for the District of Delaware for the purpose of ensuring compliance with this Interim Order, even if such enforcement proceedings occur after termination of this action.

I declare the foregoing under penalty of perjury.

Date: _____

City and State where sworn and signed: _____

Printed name: _____
[printed name]

Signature: _____
[signature]