UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ELAN PHARMA INTERNATIONAL LIMITED, Plaintiff, v. ABRAXIS BIOSCIENCE, INC., Defendant.	)	Case No. 06-438-GMS **REDACTED – PUBLIC VERSION**

NOTICE OF RULE 30(b)(6) DEPOSITION OF ELAN PHARMA INTERNATIONAL LIMITED

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, commencing at 10:00 a.m. on July 25, 2007, at Morrison & Foerster LLP, 1290 Avenue of the Americas, New York, NY 10104, Defendant Abraxis BioScience, Inc. ("Abraxis") will take the deposition by oral examination of Plaintiff Elan Pharma International Limited ("Elan"). Elan is directed to designate one or more officers, directors, managing agents, or other persons who consent and who are knowledgeable about the matters identified in the attached Schedules A and B (Restricted Confidential Information, Subject to Protective Order) to testify on its behalf. The person or persons so designated shall testify as to matters known or reasonably available to Elan.

The deposition will be taken before a person authorized to administer an oath and will continue from day to day, Saturdays, Sundays, and holidays excepted, until completed. The deposition will be recorded by video, audio, and stenographic means. Additionally, the instant visual display of testimony ("LiveNote") may be used.

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At least seven days in advance of the deposition, Elan is directed to provide to counsel for Abraxis a written designation of the name(s) and position(s) of the person(s) designated to testify on each topic.

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Dated: July 3, 2007

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SCHEDULE A

DEFINITIONS

The following definitions and instructions apply to this Schedule:

1. The term "Elan" means Plaintiff Elan Pharma International Limited, Elan Corporation, PLC, their predecessors, successors and assigns, officers, employees, agents, attorneys, consultants, and representatives, or other persons acting or purporting to act on their behalf, and any other legal entities (foreign or domestic) that are or have been owned or controlled by them (including NanoSystems, LLC).

2. The term "Abraxis" means Abraxis BioScience, Inc., its predecessors, successors and assigns, its officers, employees, agents, attorneys, consultants, and representatives, or other persons acting or purporting to act on its behalf, and any other legal entities (foreign or domestic) that are or have been owned or controlled by Abraxis.

3. The term "This Litigation" means the legal action *Elan Pharma International Limited v. Abraxis BioScience, Inc*, No C-06-438-GMS, brought by Elan against Abraxis, in the United States District Court, District of Delaware.

4. The term "'363 Patent" means U.S. Patent No. 5,399,363.

5. The term "'025 Patent" means U.S. Patent No. 5,834,025.

6. The term "Patents-In-Suit" means the '363 Patent and the '025 Patent.

7. The term "'684 Patent" means U.S. Patent No. 5,145,684.

8. The term "Related Applications and Patents" means United States patents or patent applications that claim priority benefit from one or more of the patent applications from which the Patents-In-Suit claim priority benefit, including U.S. Patent Application Nos. 07/647,105, 08/696,754, 07/908,125, and U.S. Provisional Application No. 60/004,488.

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9. The term "Particulate Compositions" means pharmaceutical or diagnostic compositions containing a pharmaceutical or diagnostic agent and having an average, mean, median or effective particle size of up to 1000 nm as determined by any method for calculating particle size.

10. The term "Particulate Composition Patent" means any patent having claims that encompass Particulate Compositions, or methods of making or using them, and that are limited to particles (or methods of making or using them) and that are limited to particles with an effective particle size of 1000 nm or less as determined by any method for calculating particle size, including but not limited to patents to Elan's NanoCrystal® technology.

11. The term "Previous Owner" means any person or entity who was an owner or assignee of one or more of the Patents-In-Suit, the '684 Patent, or any of the patent applications from which those patents claim priority benefit, including the named inventors, Sterling Winthrop, Inc., Eastman Kodak Company, Particulate Prospects Corp., NanoSystems, LLC, and Elan Corporation, PLC., as well as their predecessors, successors and assigns, officers, employees, agents, attorneys, consultants, and representatives, or other persons acting or purporting to act on their behalf, and any other legal entities (foreign or domestic) that are or have been owned or controlled by them.

12. The terms "Third Party" and "Third Parties" refer to any person, individual, company, corporation, partnership, organization, association, or other entity that is not a named party in This Litigation, including but not limited to the entities listed in Schedule B.

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TOPICS

1. Elan's policies, practices, and procedures regarding the licensing of its patents, including licensing of the Patents-In-Suit and other Particulate Composition Patents.
2. Elan's policies, practices, procedures regarding licensing of patents from Third Parties.
3. Elan's and any Previous Owners' negotiations with any Third Party regarding the Patents-In-Suit, the '684 Patent, Related Applications and Patents, or other Particulate Composition Patents.
4. Elan's and any Previous Owners' licenses and agreements with any Third Party regarding the Patents-In-Suit, the '684 Patent, Related Applications and Patents, or other Particulate Composition Patents, including the specific terms and conditions of each license or agreement.
5. Any formal or informal valuations, including the basis of such valuations, of the patents-in-suit, the '684 Patent, or Related Applications and Patents, including by Elan, a Prior Owner, or any Third Party (including independent consultants).
6. The royalty rates, lump sum payments, and any other forms of compensation in Elan's and any Previous Owner's licenses and agreements with any Third Party regarding the Patents-In-Suit, the '684 Patent, Related Applications and Patents, or other Particulate Composition Patents.
7. Arrangements or agreements between Elan Pharma International Ltd. and other Elan entities regarding the Patents-In-Suit, the '684 Patent, Related Applications and Patents, or other Particulate Composition Patents, including valuations, royalty rates, lump sum payments, and any other forms of compensation, and the basis for calculating any such valuation, royalty rate, lump sum payment or other form of compensation.

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8. The allocation of rights in Elan's and any Previous Owners' licenses and agreements with any Third Party regarding the Patents-In-Suit, the '684 Patent, Related Applications and Patents, or other Particulate Composition Patents, including the exclusivity or non-exclusivity of the license or agreement, the portfolio of patents covered by the license or agreement, any restrictions on the scope or field of use, the duration and territory of the license or agreement, and any other rights granted to the Third Party or retained by Elan.

9. The identities of the Third Parties to Elan's licenses and agreements regarding the Patents-In-Suit, the '684 Patent, Related Applications and Patents, or other Particulate Composition Patents.

10. For each Third Party with a license to the Patents-In-Suit, the '684 Patent, Related Applications and Patents, or other Particulate Composition Patents, that Third Party's sales, market shares, revenues, costs, and profits from making, using, offering to sell, or selling any products, or methods covered by the license on a total and annual basis.

11. Any analysis, study, or investigation conducted by, or on behalf of, Elan, a Previous Owner or their licensees of the monetary or economic value of the Patents-In-Suit, the '684 Patent, Related Applications and Patents, or other Particulate Composition Patents, including any audits done by Elan of its licensees.

12. Elan's and Previous Owners' income, on a total and annual basis, from licensing the Patents-In-Suit, the '684 Patent, Related Applications and Patents, or other Particulate Composition Patents.

13. Financial plans, business plans, and forecasts made regarding the monetization, commercialization or exploitation of the Patents-In-Suit, the '684 Patent, Related Applications and Patents, or other Particulate Composition Patents.

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14. Elan's financial history from 1995 to the present, including Elan's capitalization and stock price, Elan's balance sheets and income statements, Elan's revenues, costs, profits, and losses, and the portion of Elan's income attributable to licensing its patents, inventions, and any other rights in intellectual property.

15. Any development agreements or partnership agreements between Elan or any Previous Owner and any Third Party regarding the marketing, sale, distribution, manufacturing, or production of any products covered by the Patents-In-Suit, the '684 Patent, Related Applications and Patents, or other Particulate Composition Patents.

16. Elan's or any Previous Owners' "experimental evaluation agreements" and "master experimental evaluation agreements" with any Third Party, as those terms are used by Elan or a Previous Owner.

17. The identity of any commercially available products that incorporate any alleged invention claimed in the Patents-In-Suit.

18. Elan's past and current ownership interest in the Patents-In-Suit.

19. Any analysis, study, forecast, or investigation conducted by, or on behalf of, Elan regarding the monetary or economic value of Abraxane®.

20. Any analysis, study, forecast, or investigation conducted by, or on behalf of, Elan regarding the monetary or economic value of licensing the Patents-In-Suit, the '684 Patent, Related Applications and Patents, or other Particulate Composition Patents to Abraxis.

21. Any analysis, study, forecast, or investigation conducted by, or on behalf of, Elan regarding the reasonable, expected, anticipated, maximum or minimum royalty rate for

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licensing the Patents-In-Suit, the '684 Patent, Related Applications and Patents, or other Particulate Composition Patents to Abraxis.

SCHEDULE B

REDACTED IN ITS ENTIRETY

CERTIFICATE OF SERVICE

I, Elena C. Norman, Esquire, hereby certify that on July 18, 2007, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Steven J. Balick, Esquire
ASHBY & GEDDES
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Wilmington, DE 19801

I further certify that on July 18, 2007, I caused a true and correct copy of the foregoing document to be served by e-mail on the above-listed counsel of record and on the following non-registered participants in the manner indicated:

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