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August 8, 2007

BY CM/ECF

The Honorable Leonard P. Stark
United States District Court for the District of Delaware
844 North King Street
Wilmington, DE 19801

Re: Elan Pharma Int'l Ltd. v. Abraxis BioScience, Inc. – C.A. No. 06-438-GMS

Dear Judge Stark:

I am writing in connection with the above-captioned patent litigation, in which Morrison & Foerster LLP and Young Conaway Stargatt & Taylor, LLP represent defendant Abraxis BioScience, Inc. ("Abraxis"). On July 16, 2007, Chief Judge Sleet, who is presiding over this action, directed that the parties apply to Your Honor for resolution of any discovery disputes. (Transcript, 7/16/07 Teleconference, 2:24-3:4)

We understand from counsel for plaintiff that yesterday Chief Judge Sleet's chambers advised him that the parties should contact your Chambers to ask what procedures you would like the parties to follow for raising discovery disputes. Counsel for both parties unsuccessfully attempted to contact your Chambers this morning.

The discovery period will close on August 13, 2007. Therefore, in the interest of time, further to Chief Judge Sleet's July 16 directive referring discovery disputes to Your Honor, Abraxis respectfully applies to Your Honor for Orders to compel plaintiff Elan to produce documents, answer interrogatories and provide a witness for a Rule 30(b)(6) deposition. The bases for such Orders are set forth in Abraxis's (1) Motion to Compel Responses to Interrogatories and Production of Documents Referring to Abraxis or Abraxane; (2) Motion to Compel Production of Withheld and/or Unredacted Versions of Documents Created By or For

Third Parties, and (3) Motion to Compel Production of Damages Discovery. These motions and supporting papers are being filed herewith. Courtesy copies are attached hereto.

We appreciate the Court's attention to these motions. If Your Honor would prefer that the parties follow some other procedure in presenting them, we would be happy to do so. We are available to discuss this at the Court's convenience.

Respectfully submitted,

Elena C. Norman (#4780)

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Enclosures

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