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August 8, 2007

The Honorable Leonard P. Stark
United States Magistrate Judge
United States District Court
844 N. King Street
Wilmington, DE 19801

VIA ELECTRONIC FILING

Re: *Elan Pharma International, Ltd. v. Abraxis Bioscience, Inc.*
C.A. No. 06-438-GMS

Dear Judge Stark:

We, along with Baker Botts LLP, represent plaintiff Elan Pharma International, Ltd. ("Elan") in the above action, and write in response to the August 8, 2007 letter submitted by counsel for defendant Abraxis Bioscience, Inc. (D.I. 243).

In accordance with Chief Judge Sleet's direction during the July 16, 2007 teleconference in this matter (D.I. 200), Elan has a number of discovery issues it would like the opportunity to raise with Your Honor. Since Judge Sleet's chambers advised the parties to inquire how Your Honor wishes such disputes to be addressed before filing anything, and since paragraph 5(a) the Scheduling Order issued by Judge Sleet (D.I. 43) does not permit the filing and briefing of discovery motions absent leave of Court, we though it prudent to seek Your Honor's guidance before presenting them, rather than simply resorting to self-help. Accordingly, we would appreciate Your Honor's instruction concerning the manner and schedule in which the Court would like Elan to present its discovery issues, and respond to Abraxis's issues.

Respectfully,

/s/ *John G. Day*

John G. Day

JGD/nml
182669.1

cc: Clerk of the Court (via electronic filing)
Josy W. Ingersoll, Esquire (via electronic mail)
William J. Sipio, Esquire (via electronic mail)
Steven Scheve, Esquire (via electronic mail)
Paul F. Fehlner, Esquire (via electronic mail)
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