IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

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

DEFENDANT ABRAXIS BIOSCIENCE, INC.'S MOTION FOR PROTECTIVE ORDER AGAINST PLAINTIFF ELAN PHARMA INTERNATIONAL LIMITED'S NOTICE OF RULE 30(b)(6) DEPOSITION

Pursuant to Federal Rule of Civil Procedure 26(c), defendant Abraxis BioScience, Inc. ("Abraxis") hereby moves the Court for a protective order requiring plaintiff Elan Pharma International Limited's ("Elan") to withdraw its Notice of Rule 30(b)(6) Deposition of Abraxis BioScience, Inc. (D.I. 224).

The grounds for this motion are fully set forth in Abraxis's Opening Brief in Support of its Motion for Protective Order Against Elan's Notice of Rule 30(b)(6) Deposition, the pleadings and other papers filed herein, and such additional argument or evidence as the Court shall receive.

WHEREFORE, defendant Abraxis BioScience, Inc. respectfully requests the Court to enter the Protective Order attached hereto.

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Dated: August 13, 2007

CERTIFICATE OF SERVICE

I, Elena C. Norman, Esquire, hereby certify that on August 13, 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:

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I further certify that on August 13, 2007, I caused a true and correct copy of the foregoing document to be served by hand delivery and e-mail on the above-listed counsel of record and on the following non-registered participants in the manner indicated:

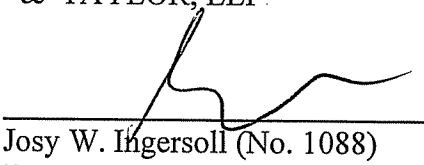
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IN THE UNITED STATES DISTRICT COURT

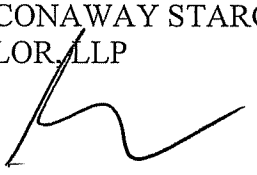
FOR THE DISTRICT OF DELAWARE

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LOCAL RULE 7.1.1 STATEMENT

I, Elena C. Norman, Esquire, hereby certify pursuant to Local Rule 7.1.1, that counsel for Defendant, Abraxis Bioscience, Inc., have made reasonable efforts to reach agreement with counsel for the plaintiff on the matters set forth in the present motion.

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FOR THE DISTRICT OF DELAWARE

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

[PROPOSED] PROTECTIVE ORDER

At Wilmington this ____ day of _____, 2007, upon consideration of defendant Abraxis BioScience, Inc.'s Motion for Protective Order Against Plaintiff Elan Pharma International Limited's Notice of Rule 30(b)(6) Deposition and all of the evidence and argument submitted therewith, IT IS HEREBY ORDERED that Plaintiff Elan Pharma International Limited withdraw its Notice of Rule 30(b)(6) Deposition of Abraxis BioScience, Inc. (D.I. 224).

_____
United States District Judge