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April 17, 2008

BY CM/ECF AND HAND DELIVERY
The Honorable Gregory M. Sleet
United States District Court
844 N. King Street
Wilmington, DE 19801

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

Dear Chief Judge Sleet:

We write with regard to the Oral Order that Your Honor issued yesterday afternoon rescheduling the Pretrial Conference in the above-captioned matter from Monday, May 5, 2008 at 10:00 a.m. to Thursday, May 1, 2008 at 10:00 a.m.

Unfortunately, the new date of May 1 presents an irreconcilable conflict for Defendant Abraxis's lead trial counsel, Michael A. Jacobs of Morrison & Foerster LLP. Mr. Jacobs is scheduled to be in Salt Lake City, Utah that day, for a four-day trial that begins April 29 in the matter of *SCO Group v. Novell, Inc.*, 2:04-cv-139, before Judge Dale A. Kimball. Mr. Jacobs is also lead trial counsel in that matter.

Please be advised that Mr. Jacobs could be present in Delaware anytime during the week of May 5 or May 12, 2008, at the convenience of the Court. We respectfully request the Court's consideration of alternative dates in this two-week period.

We understand the extreme case load that the Court is under due to, among other things, the vacant judgeship position, and very much appreciate the Court's consideration of this request.

Respectfully submitted,

Elena C. Norman (#4780)

cc: Clerk of Court (by CM/ECF)
John G. Day, Esq. (by CM/ECF and hand delivery)
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