ASHBY & GEDDES

ATTORNEYS AND COUNSELLORS AT LAW
500 DELAWARE AVENUE
P. O. BOX 1150
WILMINGTON, DELAWARE 19899

TELEPHONE
302-654-1888

FACSIMILE
302-654-2067

May 19, 2008

The Honorable Gregory M. Sleet
United States District Court
844 King Street
Wilmington, Delaware 19801

VIA ELECTRONIC FILING

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

Dear Chief Judge Sleet:

On Friday May 16, 2008, Abraxis submitted to the Court two alternative versions of a proposed form of order concerning its motions *in limine* numbers 1 and 4 (D.I. 567). Abraxis did not solicit comments from Elan – or even share copies with us – prior to filing. Had Abraxis afforded us that opportunity, Elan would have objected to Abraxis' drafts and would have suggested revisions, as the Abraxis drafts substantially exceed the scope of what was discussed at the pretrial conference. Elan therefore respectfully requests that the Court not make a decision on Abraxis' proposed drafts until we can submit a letter to Your Honor in response – which we propose to do by no later than tomorrow, May 20, 2008.

Respectfully,

/s/ Steven J. Balick

Steven J. Balick

SJB/dmf

c: Elena A. Norman, Esquire (via electronic mail)
Michael A. Jacobs, Esquire (via electronic mail)
Emily A. Evans, Esquire (via electronic mail)
Steven Scheve, Esquire (via electronic mail)