IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ELAN PHARMA INTERNATIONAL, LIMITED,	§	
Plaintiff,	§	
	§	Case No. 06-438-GMS
vs.	§	
ABRAXIS BIOSCIENCE, INC.,	§	
Defendant.	§	

DECLARATION OF JOHN C. JAROSZ

REGARDING PREJUDGMENT INTEREST AND AN ESTIMATE

OF DAMAGES ON ABRAXIS'S INFRINGING SALES AFTER JUNE 13, 2008

June 30, 2008

I, John C. Jarosz, declare as follows:

1. I was the damages expert for Elan Pharma International, Ltd. ("Elan") in the above-captioned litigation and provided testimony at trial.

2. In response to Judge Sleet's Judgment of June 16, 2008 and as requested by Elan's Counsel, I have calculated prejudgment interest on the jury verdict of $55,230,000 based on the 3-Month Treasury Bill Rate. In addition, in support of Elan's Counsel's request for an accounting of Abraxis's infringing sales from June 13, 2008 to the date of final judgment and damages and prejudgment interest on those sales, I have estimated Abraxis's infringing sales of Abraxane® from June 14, 2008 forward and calculated damages and prejudgment interest on those sales.

Prejudgment Interest on the Jury Verdict

3. In calculating the prejudgment interest, I considered the period of infringement beginning on January 7, 2005 and continuing through the date of the verdict of June 13, 2008.[1]

4. Using the royalty rate of 6.0 percent found in the verdict of June 13, 2008, I calculated a quarterly royalty through the first quarter of 2008 based on the net receipts during each quarter. For the second quarter of 2008 through June 13, 2008, I calculated the quarterly royalty as the residual amount that made the total royalty payment add to $55,230,000. *See* Tab 1.

5. Based on the quarterly royalty amounts, I calculated the royalty per month amount due each month during the infringement period by dividing the quarterly royalty by 3 months. *See* Tab 2.

6. I used the Federal Reserve Statistical Release Form H.15, Secondary Market, 3-Month T-Bill Rate and the Federal Corporate Marginal Tax Rate of 35 percent to obtain the prevailing after-tax interest yield for any given month. Starting on June 13, 2008 and applying the quarterly after-tax T-Bill discount yields back to January 7, 2005, I calculated the cumulative interest factor for each month. *See* Tab 2.

7. Next, assuming that all monthly sales occurred on the first of the month, I calculated the amount of royalty with interest per month by multiplying the monthly royalty by the monthly cumulative interest factor. *See* Tab 2.

8. Subtracting the sum of royalties due each month from the sum of royalties with interest due for each month beginning on January 7, 2005 through June 13, 2008, I calculated that, as of

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[1] January 7, 2005 is the date of first infringement according to an agreement between the parties-in-suit. *See* Parties Proposed General Jury Instructions, *Elan Pharma International Limited v. Abraxis BioScience, Inc.*, Civ. Action No. 06-438 (D. Del. June 12, 2008), D.I. 608 at p 58; Verdict Form at Question 5, *Elan Pharma International Limited v. Abraxis BioScience, Inc.*, Civ. Action No. 06-438 (D. Del. dated June 13, 2008), D.I. 614.

June 13, 2008, Elan is entitled to prejudgment interest in the amount of $2,255,420. *See* Tab 2.

9. I understand that final judgment has not yet been entered. To account for the time from the Jury verdict on June 13, 2008 through the day of final judgment, I calculated total damages plus additional prejudgment interest for each date from June 14, 2008 through December 31, 2008. *See* Tab 3.

10. I calculated additional prejudgment interest on the sum of the jury verdict of $55,230,000 and the interest on the jury verdict through June 13, 2008 of $2,255,420 for every day from June 14, 2008 through December 31, 2008. As with my calculation of royalty damages plus pre-judgment interest through June 13, 2008, this calculation relies on an interest factor based on the after-tax T-Bill discount yield assuming a Federal Corporate Marginal Tax Rate of 35 percent. *See* Tab 3.

11. Total interest on the jury verdict for any date from June 14, 2008 through the date of final judgment (or December 31, 2008, whichever comes first) can be read off of column (D) of Tab 3. The total royalty damages (from the jury verdict) plus interest for any date from June 14, 2008 through the date of final judgment (or December 31, 2008, whichever comes first) can be read off of column (E) of Tab 3.

Royalty Damages from Abraxane® Sales after June 13, 2008

12. My calculation of additional damages due Elan from additional infringing sales of Abraxane® from June 14, 2008 forward is based on an estimate of Abraxane® daily sales after June 13, 2008.

13. For June 14, 2008 through December 31, 2008, I have assumed that Abraxis's daily sales of Abraxane® accrue at a rate equal to $764,593, which equals Abraxis's average daily sales of Abraxane® for Q2 2007. That quarter represents the lowest Abraxane® average daily sales quarter of any of the last four quarters for which actual Abraxane® sales data are available. *See* Tab 1.

14. I calculated additional daily royalty damages by multiplying the additional daily sales by the royalty rate of 6.0 percent found in the verdict of June 13, 2008. *See* Tab 4.

15. I calculated cumulative additional royalty damages for each day from June 14, 2008 through December 31, 2008 by adding daily interest and each day's additional damages to the cumulative additional royalty damages from the previous day. Daily interest is calculated by applying a daily interest rate, compounded daily, to the cumulative additional royalty damages from the previous day. *See* Tab 4.

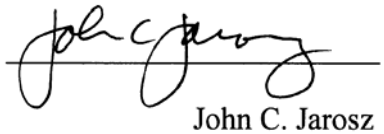
16. The total additional royalty damages plus interest related to Abraxane® sales after June 13, 2008 for any date from June 14, 2008 through the date of final judgment (or December 31, 2008, whichever comes first) can be read off of column (G) of Tab 4.

Conclusion

17. Based on the foregoing analysis, the total amount of damages plus prejudgment interest due Elan as of any day from June 14, 2008 through December 31, 2008 can be calculated using Tab 3 and Tab 4. For example, assuming a date of final judgment of August 1, 2008, total royalty damages plus interest on the jury verdict would be $57,573,737, which appears in column (E) of Tab 3. In addition, the total additional royalty damages plus interest related to Abraxane® sales from June 13, 2008 through August 1, 2008 would be $2,249,596, which appears in column (G) of Tab 4. Total damages through August 1, 2008 would equal the sum of these two numbers, which, in this example, would be $59,823,333.

I declare under penalty of perjury that the foregoing is true and correct.

Date: June 30, 2008



John C. Jarosz

TAB 1

QUARTERLY ABRAXANE SALES AND ROYALTY CALCULATED WITH 6 PERCENT ROYALTY RATE
(IN THOUSANDS OF U.S. DOLLARS)

	Q1 2005	Q2 2005	Q3 2005	Q4 2005	Q1 2006	Q2 2006	Q3 2006	Q4 2006	Q1 2007	Q2 2007	Q3 2007	Q4 2007	Q1 2008	Q2 2008	Total
Abraxane sales	$34,840	$19,384	$32,053	$47,454	$30,282	$36,301	$43,229	$46,912	$61,792	$69,578	$77,277	$79,681	$70,841	$70,875	$720,500
AstraZeneca up-front fee						$200,000									$200,000
Total accused revenue	$34,840	$19,384	$32,053	$47,454	$30,282	$236,301	$43,229	$46,912	$61,792	$69,578	$77,277	$79,681	$70,841	$70,875	$920,500
Royalty rate	6.0%														
Royalty	$2,090	$1,163	$1,923	$2,847	$1,817	$14,178	$2,594	$2,815	$3,708	$4,175	$4,637	$4,781	$4,250	$4,253	$55,230

Notes & Sources:
Dollars in thousands.
Recognized revenue associated with the AstraZeneca up-front fee is removed for Q3 2006 through Q2 2008.
Abraxis received payment of $200 million in May, 2006. *See* Abraxis BioScience, Inc., Quarterly Report (Form 10-Q), at 20 (Aug. 9, 2006).
Royalty calculated as total accused revenue multiplied by the royalty rate of 6.0 percent.
Q1 2005 Abraxane sales calculated as Total Q1 - Q2 2005 Abraxane sales minus Q2 2005 Abraxane sales. Total Q1 - Q2 2005 Abraxane sales from Abraxis BioScience, Inc., Quarterly Report (Form 10-Q), at 31 (Aug. 9, 2006).
Q2 2005 Abraxane sales from Abraxis BioScience, Inc., Quarterly Report (Form 10-Q), at 28 (Aug. 9, 2006).
Q3 2005 Abraxane sales from Abraxis BioScience, Inc., Quarterly Report (Form 10-Q), at 15 (Nov. 9, 2006).
Q4 2005 Abraxane sales calculated as total 2005 Abraxane sales minus Q1 - Q3 2005 Abraxane sales. Total 2005 Abraxane sales from Abraxis BioScience, Inc., Annual Report (Form 10-K), at 33 (Mar. 1, 2007).
Q1 2006 Abraxane sales from Abraxis BioScience, Inc., Quarterly Report (Form 10-Q), at 12 (May 10, 2007).
Q2 2006 and 2007 Abraxane sales from Abraxis BioScience, Inc., Quarterly Report (Form 10-Q), at 14 (Aug. 9, 2007).
Q3 2006 and 2007 Abraxane sales from Abraxis BioScience, Inc., Quarterly Report (Form 10-Q), at 2 (Dec. 20, 2007).
Q4 2006 and 2007 Abraxane sales calculated as total Abraxane sale for the year minus Q1 - Q3 Abraxane sales. Total 2006 and 2007 Abraxane sales from Abraxis BioScience, Inc., Annual Report (Form 10-K), at 42 (Mar. 31, 2008).
Q1 2007 and 2008 Abraxane sales from Abraxis BioScience, Inc., Quarterly Report (Form 10-Q), at 4 (May 15, 2008).
Q2 2008 Abraxane sales calculated so as to make the total royalty add up to $55.23 million.

TAB 2

CALCULATION OF PREJUDGMENT INTEREST ON ROYALTY DAMAGES FROM JURY VERDICT THROUGH JUNE 13, 2008

Year	Month	Annualized 3-Month T-Bill Discount Rate	Quarterly 3-Month T-Bill Discount Yield	After-Tax Quarterly T-Bill Discount Yield	After-Tax T-Bill Cumulative Interest Factor To 6/13/2008	Royalty Per Month	Royalty With Interest
		[A]	[B]	[C]	[D]	[E]	[F]
2005	January	2.33%	0.55%	0.36%	1.0919	$696,800	$760,824
	February	2.54%	0.63%	0.41%	1.0900	$696,800	$759,483
	March	2.74%	0.71%	0.46%	1.0865	$696,800	$757,045
	April	2.78%	0.71%	0.46%	1.0880	$387,680	$421,803
	May	2.84%	0.73%	0.48%	1.0855	$387,680	$420,826
	June	2.97%	0.76%	0.50%	1.0815	$387,680	$419,277
	July	3.22%	0.83%	0.54%	1.0830	$641,060	$694,291
	August	3.44%	0.89%	0.58%	1.0804	$641,060	$692,579
	September	3.42%	0.87%	0.57%	1.0762	$641,060	$689,879
	October	3.71%	0.96%	0.62%	1.0772	$949,080	$1,022,373
	November	3.88%	1.00%	0.65%	1.0742	$949,080	$1,019,476
	December	3.89%	0.98%	0.64%	1.0701	$949,080	$1,015,599
2006	January	4.24%	1.07%	0.70%	1.0706	$605,640	$648,377
	February	4.43%	1.11%	0.72%	1.0672	$605,640	$646,355
	March	4.51%	1.17%	0.76%	1.0633	$605,640	$643,977
	April	4.60%	1.18%	0.76%	1.0632	$726,020	$771,876
	May	4.72%	1.22%	0.79%	1.0596	$12,726,020	$13,484,482
	June	4.79%	1.24%	0.81%	1.0553	$726,020	$766,170
	July	4.95%	1.28%	0.83%	1.0551	$864,580	$912,212
	August	4.96%	1.28%	0.83%	1.0513	$864,580	$908,895
	September	4.81%	1.23%	0.80%	1.0469	$864,580	$905,102
	October	4.92%	1.27%	0.83%	1.0464	$938,244	$981,758
	November	4.94%	1.28%	0.83%	1.0426	$938,244	$978,172
	December	4.85%	1.23%	0.80%	1.0386	$938,244	$974,423
2007	January	4.98%	1.26%	0.82%	1.0378	$1,235,840	$1,282,542
	February	5.03%	1.26%	0.82%	1.0340	$1,235,840	$1,277,813
	March	4.94%	1.28%	0.83%	1.0303	$1,235,840	$1,273,336
	April	4.87%	1.25%	0.81%	1.0294	$1,391,560	$1,432,408
	May	4.73%	1.22%	0.80%	1.0256	$1,391,560	$1,427,141
	June	4.61%	1.19%	0.77%	1.0218	$1,391,560	$1,421,963
	July	4.82%	1.25%	0.81%	1.0211	$1,545,540	$1,578,123
	August	4.20%	1.08%	0.71%	1.0175	$1,545,540	$1,572,552
	September	3.89%	0.99%	0.65%	1.0140	$1,545,540	$1,567,163
	October	3.90%	1.01%	0.65%	1.0129	$1,593,627	$1,614,140
	November	3.27%	0.84%	0.55%	1.0104	$1,593,627	$1,610,124
	December	3.00%	0.76%	0.50%	1.0075	$1,593,627	$1,605,559
2008	January	2.75%	0.70%	0.46%	1.0063	$1,416,822	$1,425,729
	February	2.12%	0.53%	0.35%	1.0048	$1,416,822	$1,423,690
	March	1.26%	0.32%	0.21%	1.0025	$1,416,822	$1,420,375
	April	1.29%	0.33%	0.21%	1.0017	$1,417,507	$1,419,958
	May	1.73%	0.44%	0.29%	1.0014	$1,417,507	$1,419,463
	June*	1.73%	0.44%	0.29%	1.0004	$1,417,507	$1,418,085
					Total	$55,230,000	$57,485,420
						Total Prejudgment Interest	$2,255,420

Notes & Sources:

[A] Federal Reserve Statistical Release Form H.15, Secondary Market, 3-Month T-Bill Rate.
* Assumed to be equal to May 2008 monthly rate.

[B] Discount Rate converted to Yield.
= (100 - (100 - (Days in Quarter / 360) × [A] × 100)) / (100 - (Days in Quarter / 360) × [A] × 100).

[C] = [B] × (1 - Federal Corporate Marginal Tax Rate) where Federal Corporate Marginal Tax Rate is 35%.

[D] June 2008 = (1 + [C]) ^ (13/92).
May 2008 = (1 + [C]) ^ (44/92).
April 2008 = (1 + [C]) ^ (74/91).
Months before April 2008 = ((1 + $[C]_t$) × $[D]_{t+3}$).

[E] Calculated as quarterly damage amounts from Tab 1 divided by the number of months in the period. May 2006 includes royalty payment on the $200 million payment received by Abraxis from AstraZeneca. *See* Abraxis BioScience, Inc., Quarterly Report (Form 10-Q), at 18 (Nov. 9, 2006).

[F] = [D] * [E].
Total Interest calculated as Total Royalty With Interest minus Total Royalty payments.

TAB 3

CALCULATION OF SUM OF ROYALTY DAMAGES FROM JURY VERDICT PLUS PREJUDGMENT INTEREST BY DATE STARTING JUNE 14, 2008

Month	Day	Royalty Damages Without Interest As of June 13, 2008	After-Tax Quarterly T-Bill Daily Discount Yield	After-Tax T-Bill Cumulative Interest Factor From 6/14/2008	Cumulative Interest	Cumulative Royalty Damages With Interest
		[A]	[B]	[C]	[D]	[E]
June	14	$55,230,000	0.0031%	1.0000	$2,257,221	$57,487,221
	15	$55,230,000	0.0031%	1.0001	$2,259,022	$57,489,022
	16	$55,230,000	0.0031%	1.0001	$2,260,824	$57,490,824
	17	$55,230,000	0.0031%	1.0001	$2,262,625	$57,492,625
	18	$55,230,000	0.0031%	1.0002	$2,264,426	$57,494,426
	19	$55,230,000	0.0031%	1.0002	$2,266,227	$57,496,227
	20	$55,230,000	0.0031%	1.0002	$2,268,029	$57,498,029
	21	$55,230,000	0.0031%	1.0003	$2,269,830	$57,499,830
	22	$55,230,000	0.0031%	1.0003	$2,271,632	$57,501,632
	23	$55,230,000	0.0031%	1.0003	$2,273,433	$57,503,433
	24	$55,230,000	0.0031%	1.0003	$2,275,235	$57,505,235
	25	$55,230,000	0.0031%	1.0004	$2,277,036	$57,507,036
	26	$55,230,000	0.0031%	1.0004	$2,278,838	$57,508,838
	27	$55,230,000	0.0031%	1.0004	$2,280,640	$57,510,640
	28	$55,230,000	0.0031%	1.0005	$2,282,442	$57,512,442
	29	$55,230,000	0.0031%	1.0005	$2,284,244	$57,514,244
	30	$55,230,000	0.0031%	1.0005	$2,286,045	$57,516,045
July	1	$55,230,000	0.0031%	1.0006	$2,287,847	$57,517,847
	2	$55,230,000	0.0031%	1.0006	$2,289,649	$57,519,649
	3	$55,230,000	0.0031%	1.0006	$2,291,452	$57,521,452
	4	$55,230,000	0.0031%	1.0007	$2,293,254	$57,523,254
	5	$55,230,000	0.0031%	1.0007	$2,295,056	$57,525,056
	6	$55,230,000	0.0031%	1.0007	$2,296,858	$57,526,858
	7	$55,230,000	0.0031%	1.0008	$2,298,661	$57,528,661
	8	$55,230,000	0.0031%	1.0008	$2,300,463	$57,530,463
	9	$55,230,000	0.0031%	1.0008	$2,302,265	$57,532,265
	10	$55,230,000	0.0031%	1.0008	$2,304,068	$57,534,068
	11	$55,230,000	0.0031%	1.0009	$2,305,870	$57,535,870
	12	$55,230,000	0.0031%	1.0009	$2,307,673	$57,537,673
	13	$55,230,000	0.0031%	1.0009	$2,309,476	$57,539,476
	14	$55,230,000	0.0031%	1.0010	$2,311,278	$57,541,278
	15	$55,230,000	0.0031%	1.0010	$2,313,081	$57,543,081
	16	$55,230,000	0.0031%	1.0010	$2,314,884	$57,544,884
	17	$55,230,000	0.0031%	1.0011	$2,316,687	$57,546,687
	18	$55,230,000	0.0031%	1.0011	$2,318,490	$57,548,490
	19	$55,230,000	0.0031%	1.0011	$2,320,293	$57,550,293
	20	$55,230,000	0.0031%	1.0012	$2,322,096	$57,552,096
	21	$55,230,000	0.0031%	1.0012	$2,323,899	$57,553,899
	22	$55,230,000	0.0031%	1.0012	$2,325,702	$57,555,702
	23	$55,230,000	0.0031%	1.0013	$2,327,505	$57,557,505
	24	$55,230,000	0.0031%	1.0013	$2,329,309	$57,559,309
	25	$55,230,000	0.0031%	1.0013	$2,331,112	$57,561,112
	26	$55,230,000	0.0031%	1.0013	$2,332,915	$57,562,915

TAB 3

CALCULATION OF SUM OF ROYALTY DAMAGES FROM JURY VERDICT PLUS PREJUDGMENT INTEREST BY DATE STARTING JUNE 14, 2008

Month	Day	Royalty Damages Without Interest As of June 13, 2008	After-Tax Quarterly T-Bill Daily Discount Yield	After-Tax T-Bill Cumulative Interest Factor From 6/14/2008	Cumulative Interest	Cumulative Royalty Damages With Interest
		[A]	[B]	[C]	[D]	[E]
	27	$55,230,000	0.0031%	1.0014	$2,334,719	$57,564,719
	28	$55,230,000	0.0031%	1.0014	$2,336,522	$57,566,522
	29	$55,230,000	0.0031%	1.0014	$2,338,326	$57,568,326
	30	$55,230,000	0.0031%	1.0015	$2,340,130	$57,570,130
	31	$55,230,000	0.0031%	1.0015	$2,341,933	$57,571,933
August	1	$55,230,000	0.0031%	1.0015	$2,343,737	$57,573,737
	2	$55,230,000	0.0031%	1.0016	$2,345,541	$57,575,541
	3	$55,230,000	0.0031%	1.0016	$2,347,345	$57,577,345
	4	$55,230,000	0.0031%	1.0016	$2,349,149	$57,579,149
	5	$55,230,000	0.0031%	1.0017	$2,350,952	$57,580,952
	6	$55,230,000	0.0031%	1.0017	$2,352,756	$57,582,756
	7	$55,230,000	0.0031%	1.0017	$2,354,561	$57,584,561
	8	$55,230,000	0.0031%	1.0018	$2,356,365	$57,586,365
	9	$55,230,000	0.0031%	1.0018	$2,358,169	$57,588,169
	10	$55,230,000	0.0031%	1.0018	$2,359,973	$57,589,973
	11	$55,230,000	0.0031%	1.0019	$2,361,777	$57,591,777
	12	$55,230,000	0.0031%	1.0019	$2,363,582	$57,593,582
	13	$55,230,000	0.0031%	1.0019	$2,365,386	$57,595,386
	14	$55,230,000	0.0031%	1.0019	$2,367,191	$57,597,191
	15	$55,230,000	0.0031%	1.0020	$2,368,995	$57,598,995
	16	$55,230,000	0.0031%	1.0020	$2,370,800	$57,600,800
	17	$55,230,000	0.0031%	1.0020	$2,372,604	$57,602,604
	18	$55,230,000	0.0031%	1.0021	$2,374,409	$57,604,409
	19	$55,230,000	0.0031%	1.0021	$2,376,214	$57,606,214
	20	$55,230,000	0.0031%	1.0021	$2,378,019	$57,608,019
	21	$55,230,000	0.0031%	1.0022	$2,379,824	$57,609,824
	22	$55,230,000	0.0031%	1.0022	$2,381,628	$57,611,628
	23	$55,230,000	0.0031%	1.0022	$2,383,433	$57,613,433
	24	$55,230,000	0.0031%	1.0023	$2,385,238	$57,615,238
	25	$55,230,000	0.0031%	1.0023	$2,387,044	$57,617,044
	26	$55,230,000	0.0031%	1.0023	$2,388,849	$57,618,849
	27	$55,230,000	0.0031%	1.0024	$2,390,654	$57,620,654
	28	$55,230,000	0.0031%	1.0024	$2,392,459	$57,622,459
	29	$55,230,000	0.0031%	1.0024	$2,394,265	$57,624,265
	30	$55,230,000	0.0031%	1.0024	$2,396,070	$57,626,070
	31	$55,230,000	0.0031%	1.0025	$2,397,875	$57,627,875
September	1	$55,230,000	0.0031%	1.0025	$2,399,681	$57,629,681
	2	$55,230,000	0.0031%	1.0025	$2,401,486	$57,631,486
	3	$55,230,000	0.0031%	1.0026	$2,403,292	$57,633,292
	4	$55,230,000	0.0031%	1.0026	$2,405,098	$57,635,098
	5	$55,230,000	0.0031%	1.0026	$2,406,903	$57,636,903
	6	$55,230,000	0.0031%	1.0027	$2,408,709	$57,638,709
	7	$55,230,000	0.0031%	1.0027	$2,410,515	$57,640,515

TAB 3

CALCULATION OF SUM OF ROYALTY DAMAGES FROM JURY VERDICT PLUS PREJUDGMENT INTEREST BY DATE STARTING JUNE 14, 2008

Month	Day	Royalty Damages Without Interest As of June 13, 2008	After-Tax Quarterly T-Bill Daily Discount Yield	After-Tax T-Bill Cumulative Interest Factor From 6/14/2008	Cumulative Interest	Cumulative Royalty Damages With Interest
		[A]	[B]	[C]	[D]	[E]
	8	$55,230,000	0.0031%	1.0027	$2,412,321	$57,642,321
	9	$55,230,000	0.0031%	1.0028	$2,414,127	$57,644,127
	10	$55,230,000	0.0031%	1.0028	$2,415,933	$57,645,933
	11	$55,230,000	0.0031%	1.0028	$2,417,739	$57,647,739
	12	$55,230,000	0.0031%	1.0029	$2,419,545	$57,649,545
	13	$55,230,000	0.0031%	1.0029	$2,421,351	$57,651,351
	14	$55,230,000	0.0031%	1.0029	$2,423,157	$57,653,157
	15	$55,230,000	0.0031%	1.0029	$2,424,964	$57,654,964
	16	$55,230,000	0.0031%	1.0030	$2,426,770	$57,656,770
	17	$55,230,000	0.0031%	1.0030	$2,428,576	$57,658,576
	18	$55,230,000	0.0031%	1.0030	$2,430,383	$57,660,383
	19	$55,230,000	0.0031%	1.0031	$2,432,189	$57,662,189
	20	$55,230,000	0.0031%	1.0031	$2,433,996	$57,663,996
	21	$55,230,000	0.0031%	1.0031	$2,435,802	$57,665,802
	22	$55,230,000	0.0031%	1.0032	$2,437,609	$57,667,609
	23	$55,230,000	0.0031%	1.0032	$2,439,416	$57,669,416
	24	$55,230,000	0.0031%	1.0032	$2,441,223	$57,671,223
	25	$55,230,000	0.0031%	1.0033	$2,443,029	$57,673,029
	26	$55,230,000	0.0031%	1.0033	$2,444,836	$57,674,836
	27	$55,230,000	0.0031%	1.0033	$2,446,643	$57,676,643
	28	$55,230,000	0.0031%	1.0034	$2,448,450	$57,678,450
	29	$55,230,000	0.0031%	1.0034	$2,450,257	$57,680,257
	30	$55,230,000	0.0031%	1.0034	$2,452,065	$57,682,065
October	1	$55,230,000	0.0031%	1.0035	$2,453,872	$57,683,872
	2	$55,230,000	0.0031%	1.0035	$2,455,679	$57,685,679
	3	$55,230,000	0.0031%	1.0035	$2,457,486	$57,687,486
	4	$55,230,000	0.0031%	1.0035	$2,459,294	$57,689,294
	5	$55,230,000	0.0031%	1.0036	$2,461,101	$57,691,101
	6	$55,230,000	0.0031%	1.0036	$2,462,909	$57,692,909
	7	$55,230,000	0.0031%	1.0036	$2,464,716	$57,694,716
	8	$55,230,000	0.0031%	1.0037	$2,466,524	$57,696,524
	9	$55,230,000	0.0031%	1.0037	$2,468,331	$57,698,331
	10	$55,230,000	0.0031%	1.0037	$2,470,139	$57,700,139
	11	$55,230,000	0.0031%	1.0038	$2,471,947	$57,701,947
	12	$55,230,000	0.0031%	1.0038	$2,473,755	$57,703,755
	13	$55,230,000	0.0031%	1.0038	$2,475,562	$57,705,562
	14	$55,230,000	0.0031%	1.0039	$2,477,370	$57,707,370
	15	$55,230,000	0.0031%	1.0039	$2,479,178	$57,709,178
	16	$55,230,000	0.0031%	1.0039	$2,480,986	$57,710,986
	17	$55,230,000	0.0031%	1.0040	$2,482,794	$57,712,794
	18	$55,230,000	0.0031%	1.0040	$2,484,603	$57,714,603
	19	$55,230,000	0.0031%	1.0040	$2,486,411	$57,716,411
	20	$55,230,000	0.0031%	1.0040	$2,488,219	$57,718,219

TAB 3

CALCULATION OF SUM OF ROYALTY DAMAGES FROM JURY VERDICT PLUS PREJUDGMENT INTEREST BY DATE STARTING JUNE 14, 2008

Month	Day	Royalty Damages Without Interest As of June 13, 2008	After-Tax Quarterly T-Bill Daily Discount Yield	After-Tax T-Bill Cumulative Interest Factor From 6/14/2008	Cumulative Interest	Cumulative Royalty Damages With Interest
		[A]	[B]	[C]	[D]	[E]
	21	$55,230,000	0.0031%	1.0041	$2,490,027	$57,720,027
	22	$55,230,000	0.0031%	1.0041	$2,491,836	$57,721,836
	23	$55,230,000	0.0031%	1.0041	$2,493,644	$57,723,644
	24	$55,230,000	0.0031%	1.0042	$2,495,453	$57,725,453
	25	$55,230,000	0.0031%	1.0042	$2,497,261	$57,727,261
	26	$55,230,000	0.0031%	1.0042	$2,499,070	$57,729,070
	27	$55,230,000	0.0031%	1.0043	$2,500,878	$57,730,878
	28	$55,230,000	0.0031%	1.0043	$2,502,687	$57,732,687
	29	$55,230,000	0.0031%	1.0043	$2,504,496	$57,734,496
	30	$55,230,000	0.0031%	1.0044	$2,506,305	$57,736,305
	31	$55,230,000	0.0031%	1.0044	$2,508,114	$57,738,114
November	1	$55,230,000	0.0031%	1.0044	$2,509,923	$57,739,923
	2	$55,230,000	0.0031%	1.0045	$2,511,732	$57,741,732
	3	$55,230,000	0.0031%	1.0045	$2,513,541	$57,743,541
	4	$55,230,000	0.0031%	1.0045	$2,515,350	$57,745,350
	5	$55,230,000	0.0031%	1.0046	$2,517,159	$57,747,159
	6	$55,230,000	0.0031%	1.0046	$2,518,968	$57,748,968
	7	$55,230,000	0.0031%	1.0046	$2,520,777	$57,750,777
	8	$55,230,000	0.0031%	1.0046	$2,522,587	$57,752,587
	9	$55,230,000	0.0031%	1.0047	$2,524,396	$57,754,396
	10	$55,230,000	0.0031%	1.0047	$2,526,206	$57,756,206
	11	$55,230,000	0.0031%	1.0047	$2,528,015	$57,758,015
	12	$55,230,000	0.0031%	1.0048	$2,529,825	$57,759,825
	13	$55,230,000	0.0031%	1.0048	$2,531,634	$57,761,634
	14	$55,230,000	0.0031%	1.0048	$2,533,444	$57,763,444
	15	$55,230,000	0.0031%	1.0049	$2,535,254	$57,765,254
	16	$55,230,000	0.0031%	1.0049	$2,537,064	$57,767,064
	17	$55,230,000	0.0031%	1.0049	$2,538,873	$57,768,873
	18	$55,230,000	0.0031%	1.0050	$2,540,683	$57,770,683
	19	$55,230,000	0.0031%	1.0050	$2,542,493	$57,772,493
	20	$55,230,000	0.0031%	1.0050	$2,544,303	$57,774,303
	21	$55,230,000	0.0031%	1.0051	$2,546,113	$57,776,113
	22	$55,230,000	0.0031%	1.0051	$2,547,923	$57,777,923
	23	$55,230,000	0.0031%	1.0051	$2,549,734	$57,779,734
	24	$55,230,000	0.0031%	1.0052	$2,551,544	$57,781,544
	25	$55,230,000	0.0031%	1.0052	$2,553,354	$57,783,354
	26	$55,230,000	0.0031%	1.0052	$2,555,165	$57,785,165
	27	$55,230,000	0.0031%	1.0052	$2,556,975	$57,786,975
	28	$55,230,000	0.0031%	1.0053	$2,558,785	$57,788,785
	29	$55,230,000	0.0031%	1.0053	$2,560,596	$57,790,596
	30	$55,230,000	0.0031%	1.0053	$2,562,407	$57,792,407
December	1	$55,230,000	0.0031%	1.0054	$2,564,217	$57,794,217
	2	$55,230,000	0.0031%	1.0054	$2,566,028	$57,796,028

TAB 3

CALCULATION OF SUM OF ROYALTY DAMAGES FROM JURY VERDICT PLUS PREJUDGMENT INTEREST BY DATE STARTING JUNE 14, 2008

Month	Day	Royalty Damages Without Interest As of June 13, 2008	After-Tax Quarterly T-Bill Daily Discount Yield	After-Tax T-Bill Cumulative Interest Factor From 6/14/2008	Cumulative Interest	Cumulative Royalty Damages With Interest
		[A]	[B]	[C]	[D]	[E]
	3	$55,230,000	0.0031%	1.0054	$2,567,839	$57,797,839
	4	$55,230,000	0.0031%	1.0055	$2,569,650	$57,799,650
	5	$55,230,000	0.0031%	1.0055	$2,571,460	$57,801,460
	6	$55,230,000	0.0031%	1.0055	$2,573,271	$57,803,271
	7	$55,230,000	0.0031%	1.0056	$2,575,082	$57,805,082
	8	$55,230,000	0.0031%	1.0056	$2,576,893	$57,806,893
	9	$55,230,000	0.0031%	1.0056	$2,578,704	$57,808,704
	10	$55,230,000	0.0031%	1.0057	$2,580,516	$57,810,516
	11	$55,230,000	0.0031%	1.0057	$2,582,327	$57,812,327
	12	$55,230,000	0.0031%	1.0057	$2,584,138	$57,814,138
	13	$55,230,000	0.0031%	1.0057	$2,585,949	$57,815,949
	14	$55,230,000	0.0031%	1.0058	$2,587,761	$57,817,761
	15	$55,230,000	0.0031%	1.0058	$2,589,572	$57,819,572
	16	$55,230,000	0.0031%	1.0058	$2,591,384	$57,821,384
	17	$55,230,000	0.0031%	1.0059	$2,593,195	$57,823,195
	18	$55,230,000	0.0031%	1.0059	$2,595,007	$57,825,007
	19	$55,230,000	0.0031%	1.0059	$2,596,819	$57,826,819
	20	$55,230,000	0.0031%	1.0060	$2,598,630	$57,828,630
	21	$55,230,000	0.0031%	1.0060	$2,600,442	$57,830,442
	22	$55,230,000	0.0031%	1.0060	$2,602,254	$57,832,254
	23	$55,230,000	0.0031%	1.0061	$2,604,066	$57,834,066
	24	$55,230,000	0.0031%	1.0061	$2,605,878	$57,835,878
	25	$55,230,000	0.0031%	1.0061	$2,607,690	$57,837,690
	26	$55,230,000	0.0031%	1.0062	$2,609,502	$57,839,502
	27	$55,230,000	0.0031%	1.0062	$2,611,314	$57,841,314
	28	$55,230,000	0.0031%	1.0062	$2,613,126	$57,843,126
	29	$55,230,000	0.0031%	1.0063	$2,614,938	$57,844,938
	30	$55,230,000	0.0031%	1.0063	$2,616,751	$57,846,751
	31	$55,230,000	0.0031%	1.0063	$2,618,563	$57,848,563

Notes & Sources:

[A] Total damages award without interest from June 13, 2008. *See* Tab 2.

[B] = (1 + After-Tax Quarterly T-Bill Discount Yield in May 2008) ^ (1/92) - 1. *See* Tab 2, column [C].

[C] June 14, 2008 calculated as (1+ [B]).
After June 14, 2008 calculated as $[C]_{t-1} * (1 + [B]_t)$.

[D] = (([A] + Cumulative Interest as of June 13, 2008) * [C]) - [A]. June 13, 2008 cumulative interest equals $2,255,420. *See* Tab 2.

[E] = [A] + [D].

TAB 4

ACCOUNTING BASED ON ESTIMATED ADDITIONAL INFRINGING SALES
STARTING JUNE 14, 2008

Month	Day	Additional Daily Sales	Royalty Rate	Additional Daily Royalty Damages	Cumulative Royalty Damages With Interest Beginning of Day	After-Tax Quarterly T-Bill Daily Discount Yield	Additional Interest	Cumulative Royalty Damages With Interest End of Day
		[A]	[B]	[C]	[D]	[E]	[F]	[G]
June	14	$764,593	6.0%	$45,876	$0		$0	$45,876
	15	$764,593	6.0%	$45,876	$45,876	0.0031%	$1	$91,753
	16	$764,593	6.0%	$45,876	$91,753	0.0031%	$3	$137,631
	17	$764,593	6.0%	$45,876	$137,631	0.0031%	$4	$183,511
	18	$764,593	6.0%	$45,876	$183,511	0.0031%	$6	$229,392
	19	$764,593	6.0%	$45,876	$229,392	0.0031%	$7	$275,275
	20	$764,593	6.0%	$45,876	$275,275	0.0031%	$9	$321,159
	21	$764,593	6.0%	$45,876	$321,159	0.0031%	$10	$367,045
	22	$764,593	6.0%	$45,876	$367,045	0.0031%	$11	$412,932
	23	$764,593	6.0%	$45,876	$412,932	0.0031%	$13	$458,821
	24	$764,593	6.0%	$45,876	$458,821	0.0031%	$14	$504,711
	25	$764,593	6.0%	$45,876	$504,711	0.0031%	$16	$550,602
	26	$764,593	6.0%	$45,876	$550,602	0.0031%	$17	$596,495
	27	$764,593	6.0%	$45,876	$596,495	0.0031%	$19	$642,389
	28	$764,593	6.0%	$45,876	$642,389	0.0031%	$20	$688,285
	29	$764,593	6.0%	$45,876	$688,285	0.0031%	$22	$734,182
	30	$764,593	6.0%	$45,876	$734,182	0.0031%	$23	$780,081
July	1	$764,593	6.0%	$45,876	$780,081	0.0031%	$24	$825,981
	2	$764,593	6.0%	$45,876	$825,981	0.0031%	$26	$871,882
	3	$764,593	6.0%	$45,876	$871,882	0.0031%	$27	$917,785
	4	$764,593	6.0%	$45,876	$917,785	0.0031%	$29	$963,690
	5	$764,593	6.0%	$45,876	$963,690	0.0031%	$30	$1,009,595
	6	$764,593	6.0%	$45,876	$1,009,595	0.0031%	$32	$1,055,503
	7	$764,593	6.0%	$45,876	$1,055,503	0.0031%	$33	$1,101,411
	8	$764,593	6.0%	$45,876	$1,101,411	0.0031%	$35	$1,147,321
	9	$764,593	6.0%	$45,876	$1,147,321	0.0031%	$36	$1,193,233
	10	$764,593	6.0%	$45,876	$1,193,233	0.0031%	$37	$1,239,146
	11	$764,593	6.0%	$45,876	$1,239,146	0.0031%	$39	$1,285,060
	12	$764,593	6.0%	$45,876	$1,285,060	0.0031%	$40	$1,330,976
	13	$764,593	6.0%	$45,876	$1,330,976	0.0031%	$42	$1,376,894
	14	$764,593	6.0%	$45,876	$1,376,894	0.0031%	$43	$1,422,812
	15	$764,593	6.0%	$45,876	$1,422,812	0.0031%	$45	$1,468,732
	16	$764,593	6.0%	$45,876	$1,468,732	0.0031%	$46	$1,514,654
	17	$764,593	6.0%	$45,876	$1,514,654	0.0031%	$47	$1,560,577
	18	$764,593	6.0%	$45,876	$1,560,577	0.0031%	$49	$1,606,502
	19	$764,593	6.0%	$45,876	$1,606,502	0.0031%	$50	$1,652,428
	20	$764,593	6.0%	$45,876	$1,652,428	0.0031%	$52	$1,698,355
	21	$764,593	6.0%	$45,876	$1,698,355	0.0031%	$53	$1,744,284
	22	$764,593	6.0%	$45,876	$1,744,284	0.0031%	$55	$1,790,214
	23	$764,593	6.0%	$45,876	$1,790,214	0.0031%	$56	$1,836,146
	24	$764,593	6.0%	$45,876	$1,836,146	0.0031%	$58	$1,882,079
	25	$764,593	6.0%	$45,876	$1,882,079	0.0031%	$59	$1,928,013
	26	$764,593	6.0%	$45,876	$1,928,013	0.0031%	$60	$1,973,949
	27	$764,593	6.0%	$45,876	$1,973,949	0.0031%	$62	$2,019,887
	28	$764,593	6.0%	$45,876	$2,019,887	0.0031%	$63	$2,065,826
	29	$764,593	6.0%	$45,876	$2,065,826	0.0031%	$65	$2,111,766
	30	$764,593	6.0%	$45,876	$2,111,766	0.0031%	$66	$2,157,708
	31	$764,593	6.0%	$45,876	$2,157,708	0.0031%	$68	$2,203,651
August	1	$764,593	6.0%	$45,876	$2,203,651	0.0031%	$69	$2,249,596
	2	$764,593	6.0%	$45,876	$2,249,596	0.0031%	$70	$2,295,542
	3	$764,593	6.0%	$45,876	$2,295,542	0.0031%	$72	$2,341,489
	4	$764,593	6.0%	$45,876	$2,341,489	0.0031%	$73	$2,387,438
	5	$764,593	6.0%	$45,876	$2,387,438	0.0031%	$75	$2,433,389
	6	$764,593	6.0%	$45,876	$2,433,389	0.0031%	$76	$2,479,341
	7	$764,593	6.0%	$45,876	$2,479,341	0.0031%	$78	$2,525,294
	8	$764,593	6.0%	$45,876	$2,525,294	0.0031%	$79	$2,571,249
	9	$764,593	6.0%	$45,876	$2,571,249	0.0031%	$81	$2,617,205
	10	$764,593	6.0%	$45,876	$2,617,205	0.0031%	$82	$2,663,162
	11	$764,593	6.0%	$45,876	$2,663,162	0.0031%	$83	$2,709,121
	12	$764,593	6.0%	$45,876	$2,709,121	0.0031%	$85	$2,755,082
	13	$764,593	6.0%	$45,876	$2,755,082	0.0031%	$86	$2,801,044
	14	$764,593	6.0%	$45,876	$2,801,044	0.0031%	$88	$2,847,007
	15	$764,593	6.0%	$45,876	$2,847,007	0.0031%	$89	$2,892,972
	16	$764,593	6.0%	$45,876	$2,892,972	0.0031%	$91	$2,938,938

TAB 4

ACCOUNTING BASED ON ESTIMATED ADDITIONAL INFRINGING SALES
STARTING JUNE 14, 2008

Month	Day	Additional Daily Sales	Royalty Rate	Additional Daily Royalty Damages	Cumulative Royalty Damages With Interest Beginning of Day	After-Tax Quarterly T-Bill Daily Discount Yield	Additional Interest	Cumulative Royalty Damages With Interest End of Day
		[A]	[B]	[C]	[D]	[E]	[F]	[G]
	17	$764,593	6.0%	$45,876	$2,938,938	0.0031%	$92	$2,984,906
	18	$764,593	6.0%	$45,876	$2,984,906	0.0031%	$94	$3,030,875
	19	$764,593	6.0%	$45,876	$3,030,875	0.0031%	$95	$3,076,845
	20	$764,593	6.0%	$45,876	$3,076,845	0.0031%	$96	$3,122,817
	21	$764,593	6.0%	$45,876	$3,122,817	0.0031%	$98	$3,168,791
	22	$764,593	6.0%	$45,876	$3,168,791	0.0031%	$99	$3,214,766
	23	$764,593	6.0%	$45,876	$3,214,766	0.0031%	$101	$3,260,742
	24	$764,593	6.0%	$45,876	$3,260,742	0.0031%	$102	$3,306,720
	25	$764,593	6.0%	$45,876	$3,306,720	0.0031%	$104	$3,352,699
	26	$764,593	6.0%	$45,876	$3,352,699	0.0031%	$105	$3,398,680
	27	$764,593	6.0%	$45,876	$3,398,680	0.0031%	$106	$3,444,662
	28	$764,593	6.0%	$45,876	$3,444,662	0.0031%	$108	$3,490,645
	29	$764,593	6.0%	$45,876	$3,490,645	0.0031%	$109	$3,536,630
	30	$764,593	6.0%	$45,876	$3,536,630	0.0031%	$111	$3,582,617
	31	$764,593	6.0%	$45,876	$3,582,617	0.0031%	$112	$3,628,605
September	1	$764,593	6.0%	$45,876	$3,628,605	0.0031%	$114	$3,674,594
	2	$764,593	6.0%	$45,876	$3,674,594	0.0031%	$115	$3,720,585
	3	$764,593	6.0%	$45,876	$3,720,585	0.0031%	$117	$3,766,577
	4	$764,593	6.0%	$45,876	$3,766,577	0.0031%	$118	$3,812,570
	5	$764,593	6.0%	$45,876	$3,812,570	0.0031%	$119	$3,858,565
	6	$764,593	6.0%	$45,876	$3,858,565	0.0031%	$121	$3,904,562
	7	$764,593	6.0%	$45,876	$3,904,562	0.0031%	$122	$3,950,560
	8	$764,593	6.0%	$45,876	$3,950,560	0.0031%	$124	$3,996,559
	9	$764,593	6.0%	$45,876	$3,996,559	0.0031%	$125	$4,042,560
	10	$764,593	6.0%	$45,876	$4,042,560	0.0031%	$127	$4,088,562
	11	$764,593	6.0%	$45,876	$4,088,562	0.0031%	$128	$4,134,566
	12	$764,593	6.0%	$45,876	$4,134,566	0.0031%	$130	$4,180,571
	13	$764,593	6.0%	$45,876	$4,180,571	0.0031%	$131	$4,226,578
	14	$764,593	6.0%	$45,876	$4,226,578	0.0031%	$132	$4,272,586
	15	$764,593	6.0%	$45,876	$4,272,586	0.0031%	$134	$4,318,595
	16	$764,593	6.0%	$45,876	$4,318,595	0.0031%	$135	$4,364,606
	17	$764,593	6.0%	$45,876	$4,364,606	0.0031%	$137	$4,410,618
	18	$764,593	6.0%	$45,876	$4,410,618	0.0031%	$138	$4,456,632
	19	$764,593	6.0%	$45,876	$4,456,632	0.0031%	$140	$4,502,648
	20	$764,593	6.0%	$45,876	$4,502,648	0.0031%	$141	$4,548,664
	21	$764,593	6.0%	$45,876	$4,548,664	0.0031%	$143	$4,594,682
	22	$764,593	6.0%	$45,876	$4,594,682	0.0031%	$144	$4,640,702
	23	$764,593	6.0%	$45,876	$4,640,702	0.0031%	$145	$4,686,723
	24	$764,593	6.0%	$45,876	$4,686,723	0.0031%	$147	$4,732,745
	25	$764,593	6.0%	$45,876	$4,732,745	0.0031%	$148	$4,778,769
	26	$764,593	6.0%	$45,876	$4,778,769	0.0031%	$150	$4,824,795
	27	$764,593	6.0%	$45,876	$4,824,795	0.0031%	$151	$4,870,821
	28	$764,593	6.0%	$45,876	$4,870,821	0.0031%	$153	$4,916,849
	29	$764,593	6.0%	$45,876	$4,916,849	0.0031%	$154	$4,962,879
	30	$764,593	6.0%	$45,876	$4,962,879	0.0031%	$155	$5,008,910
October	1	$764,593	6.0%	$45,876	$5,008,910	0.0031%	$157	$5,054,943
	2	$764,593	6.0%	$45,876	$5,054,943	0.0031%	$158	$5,100,977
	3	$764,593	6.0%	$45,876	$5,100,977	0.0031%	$160	$5,147,012
	4	$764,593	6.0%	$45,876	$5,147,012	0.0031%	$161	$5,193,049
	5	$764,593	6.0%	$45,876	$5,193,049	0.0031%	$163	$5,239,087
	6	$764,593	6.0%	$45,876	$5,239,087	0.0031%	$164	$5,285,127
	7	$764,593	6.0%	$45,876	$5,285,127	0.0031%	$166	$5,331,168
	8	$764,593	6.0%	$45,876	$5,331,168	0.0031%	$167	$5,377,211
	9	$764,593	6.0%	$45,876	$5,377,211	0.0031%	$168	$5,423,255
	10	$764,593	6.0%	$45,876	$5,423,255	0.0031%	$170	$5,469,300
	11	$764,593	6.0%	$45,876	$5,469,300	0.0031%	$171	$5,515,347
	12	$764,593	6.0%	$45,876	$5,515,347	0.0031%	$173	$5,561,396
	13	$764,593	6.0%	$45,876	$5,561,396	0.0031%	$174	$5,607,446
	14	$764,593	6.0%	$45,876	$5,607,446	0.0031%	$176	$5,653,497
	15	$764,593	6.0%	$45,876	$5,653,497	0.0031%	$177	$5,699,550
	16	$764,593	6.0%	$45,876	$5,699,550	0.0031%	$179	$5,745,604
	17	$764,593	6.0%	$45,876	$5,745,604	0.0031%	$180	$5,791,659
	18	$764,593	6.0%	$45,876	$5,791,659	0.0031%	$181	$5,837,717

TAB 4

ACCOUNTING BASED ON ESTIMATED ADDITIONAL INFRINGING SALES
STARTING JUNE 14, 2008

Month	Day	Additional Daily Sales	Royalty Rate	Additional Daily Royalty Damages	Cumulative Royalty Damages With Interest Beginning of Day	After-Tax Quarterly T-Bill Daily Discount Yield	Additional Interest	Cumulative Royalty Damages With Interest End of Day
		[A]	[B]	[C]	[D]	[E]	[F]	[G]
	19	$764,593	6.0%	$45,876	$5,837,717	0.0031%	$183	$5,883,775
	20	$764,593	6.0%	$45,876	$5,883,775	0.0031%	$184	$5,929,835
	21	$764,593	6.0%	$45,876	$5,929,835	0.0031%	$186	$5,975,896
	22	$764,593	6.0%	$45,876	$5,975,896	0.0031%	$187	$6,021,959
	23	$764,593	6.0%	$45,876	$6,021,959	0.0031%	$189	$6,068,023
	24	$764,593	6.0%	$45,876	$6,068,023	0.0031%	$190	$6,114,089
	25	$764,593	6.0%	$45,876	$6,114,089	0.0031%	$192	$6,160,156
	26	$764,593	6.0%	$45,876	$6,160,156	0.0031%	$193	$6,206,225
	27	$764,593	6.0%	$45,876	$6,206,225	0.0031%	$194	$6,252,295
	28	$764,593	6.0%	$45,876	$6,252,295	0.0031%	$196	$6,298,366
	29	$764,593	6.0%	$45,876	$6,298,366	0.0031%	$197	$6,344,439
	30	$764,593	6.0%	$45,876	$6,344,439	0.0031%	$199	$6,390,514
	31	$764,593	6.0%	$45,876	$6,390,514	0.0031%	$200	$6,436,590
November	1	$764,593	6.0%	$45,876	$6,436,590	0.0031%	$202	$6,482,667
	2	$764,593	6.0%	$45,876	$6,482,667	0.0031%	$203	$6,528,746
	3	$764,593	6.0%	$45,876	$6,528,746	0.0031%	$205	$6,574,826
	4	$764,593	6.0%	$45,876	$6,574,826	0.0031%	$206	$6,620,907
	5	$764,593	6.0%	$45,876	$6,620,907	0.0031%	$207	$6,666,990
	6	$764,593	6.0%	$45,876	$6,666,990	0.0031%	$209	$6,713,075
	7	$764,593	6.0%	$45,876	$6,713,075	0.0031%	$210	$6,759,161
	8	$764,593	6.0%	$45,876	$6,759,161	0.0031%	$212	$6,805,248
	9	$764,593	6.0%	$45,876	$6,805,248	0.0031%	$213	$6,851,337
	10	$764,593	6.0%	$45,876	$6,851,337	0.0031%	$215	$6,897,427
	11	$764,593	6.0%	$45,876	$6,897,427	0.0031%	$216	$6,943,519
	12	$764,593	6.0%	$45,876	$6,943,519	0.0031%	$218	$6,989,612
	13	$764,593	6.0%	$45,876	$6,989,612	0.0031%	$219	$7,035,707
	14	$764,593	6.0%	$45,876	$7,035,707	0.0031%	$220	$7,081,803
	15	$764,593	6.0%	$45,876	$7,081,803	0.0031%	$222	$7,127,900
	16	$764,593	6.0%	$45,876	$7,127,900	0.0031%	$223	$7,173,999
	17	$764,593	6.0%	$45,876	$7,173,999	0.0031%	$225	$7,220,099
	18	$764,593	6.0%	$45,876	$7,220,099	0.0031%	$226	$7,266,201
	19	$764,593	6.0%	$45,876	$7,266,201	0.0031%	$228	$7,312,305
	20	$764,593	6.0%	$45,876	$7,312,305	0.0031%	$229	$7,358,409
	21	$764,593	6.0%	$45,876	$7,358,409	0.0031%	$231	$7,404,515
	22	$764,593	6.0%	$45,876	$7,404,515	0.0031%	$232	$7,450,623
	23	$764,593	6.0%	$45,876	$7,450,623	0.0031%	$233	$7,496,732
	24	$764,593	6.0%	$45,876	$7,496,732	0.0031%	$235	$7,542,842
	25	$764,593	6.0%	$45,876	$7,542,842	0.0031%	$236	$7,588,954
	26	$764,593	6.0%	$45,876	$7,588,954	0.0031%	$238	$7,635,068
	27	$764,593	6.0%	$45,876	$7,635,068	0.0031%	$239	$7,681,183
	28	$764,593	6.0%	$45,876	$7,681,183	0.0031%	$241	$7,727,299
	29	$764,593	6.0%	$45,876	$7,727,299	0.0031%	$242	$7,773,417
	30	$764,593	6.0%	$45,876	$7,773,417	0.0031%	$244	$7,819,536
December	1	$764,593	6.0%	$45,876	$7,819,536	0.0031%	$245	$7,865,656
	2	$764,593	6.0%	$45,876	$7,865,656	0.0031%	$246	$7,911,778
	3	$764,593	6.0%	$45,876	$7,911,778	0.0031%	$248	$7,957,902
	4	$764,593	6.0%	$45,876	$7,957,902	0.0031%	$249	$8,004,027
	5	$764,593	6.0%	$45,876	$8,004,027	0.0031%	$251	$8,050,153
	6	$764,593	6.0%	$45,876	$8,050,153	0.0031%	$252	$8,096,281
	7	$764,593	6.0%	$45,876	$8,096,281	0.0031%	$254	$8,142,410
	8	$764,593	6.0%	$45,876	$8,142,410	0.0031%	$255	$8,188,541
	9	$764,593	6.0%	$45,876	$8,188,541	0.0031%	$257	$8,234,673
	10	$764,593	6.0%	$45,876	$8,234,673	0.0031%	$258	$8,280,807
	11	$764,593	6.0%	$45,876	$8,280,807	0.0031%	$259	$8,326,942
	12	$764,593	6.0%	$45,876	$8,326,942	0.0031%	$261	$8,373,078
	13	$764,593	6.0%	$45,876	$8,373,078	0.0031%	$262	$8,419,216
	14	$764,593	6.0%	$45,876	$8,419,216	0.0031%	$264	$8,465,355
	15	$764,593	6.0%	$45,876	$8,465,355	0.0031%	$265	$8,511,496
	16	$764,593	6.0%	$45,876	$8,511,496	0.0031%	$267	$8,557,639
	17	$764,593	6.0%	$45,876	$8,557,639	0.0031%	$268	$8,603,782
	18	$764,593	6.0%	$45,876	$8,603,782	0.0031%	$270	$8,649,927
	19	$764,593	6.0%	$45,876	$8,649,927	0.0031%	$271	$8,696,074
	20	$764,593	6.0%	$45,876	$8,696,074	0.0031%	$272	$8,742,222
	21	$764,593	6.0%	$45,876	$8,742,222	0.0031%	$274	$8,788,372

TAB 4

ACCOUNTING BASED ON ESTIMATED ADDITIONAL INFRINGING SALES
STARTING JUNE 14, 2008

Month	Day	Additional Daily Sales	Royalty Rate	Additional Daily Royalty Damages	Cumulative Royalty Damages With Interest Beginning of Day	After-Tax Quarterly T-Bill Daily Discount Yield	Additional Interest	Cumulative Royalty Damages With Interest End of Day
		[A]	[B]	[C]	[D]	[E]	[F]	[G]
	22	$764,593	6.0%	$45,876	$8,788,372	0.0031%	$275	$8,834,523
	23	$764,593	6.0%	$45,876	$8,834,523	0.0031%	$277	$8,880,675
	24	$764,593	6.0%	$45,876	$8,880,675	0.0031%	$278	$8,926,829
	25	$764,593	6.0%	$45,876	$8,926,829	0.0031%	$280	$8,972,984
	26	$764,593	6.0%	$45,876	$8,972,984	0.0031%	$281	$9,019,141
	27	$764,593	6.0%	$45,876	$9,019,141	0.0031%	$283	$9,065,299
	28	$764,593	6.0%	$45,876	$9,065,299	0.0031%	$284	$9,111,459
	29	$764,593	6.0%	$45,876	$9,111,459	0.0031%	$285	$9,157,620
	30	$764,593	6.0%	$45,876	$9,157,620	0.0031%	$287	$9,203,782
	31	$764,593	6.0%	$45,876	$9,203,782	0.0031%	$288	$9,249,946

Notes & Sources:
Assumes sales occur at end of day.
[A] Additional daily sales assumed to equal average daily Abraxane sales in Q2 2007. Calculated as $69.6 million / 91 days. *See* Tab 1.
[B] Royalty rate awarded at trial, June 13, 2008.
[C] = [A] * [B].
[D] June 14, 2008 equals zero.
After June 14, 2008 equals $[G]_{t-1}$.
[E] = (1+After-Tax Quarterly T-Bill Discount Yield in May 2008)^(1/92)-1. *See* Tab 2, column [C].
[F] No interest is collected on June 14, 2008.
After June 14, 2008 calculated as [D] * [E].
[G] = [C] + [D] + [F].