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November 1, 2007

VIA E-FILING
The Honorable Mary Pat Thynge
United States Magistrate Judge
U.S. District Court for the District of Delaware
J. Caleb Boggs Federal Building
844 N. King Street
Wilmington, DE 19801

Re: ZymoGenetics, Inc. v. Bristol-Myers Squibb Co., C.A. No. 06-500-***

Dear Judge Thynge:

Defendant Bristol-Myers Squibb Company ("Bristol") respectfully submits this letter concerning Bristol's request to bifurcate the issues of willfulness (including discovery related thereto) and any potential enhanced damages stemming from willfulness from the rest of the issues in this action.[1]

ZymoGenetics' response to Bristol's request for bifurcation was filed with the Court on October 29, 2007. As stated by Your Honor during the October 18, 2007 teleconference, there will be no reply to ZymoGenetics' response. As such, Bristol respectfully submits that the issue of bifurcation is ripe for decision.

Further, Bristol is available for a hearing or teleconference on this issue to the extent the Court believes this is necessary.

Respectfully,

Frederick L. Cottrell (#2555)

FLCIII/th
cc: Clerk of the Court (via e-filing)
Philip A. Rovner, Esq. (via e-filing and hand delivery)

[1] The schedule currently requires Bristol to disclose whether Bristol will rely on advice of counsel on November 26, 2007. To the extent the Court has not ruled before that date, Bristol respectfully requests an extension until one week after the Court so rules.