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May 22, 2007

VIA E-FILING AND HAND DELIVERY

The Honorable Mary Pat Thynge
United States District Court
District of Delaware
844 N. King Street
Wilmington, DE 19801

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

Dear Magistrate Judge Thynge:

Enclosed for Your Honor's consideration is a copy of the Stipulated Amended Scheduling Order filed today which modifies certain dates in the Scheduling Order entered by the Court on November 3, 2006. While the parties have agreed to the dates in the enclosed Stipulated Amended Scheduling Order, we have not been able to reach agreement on whether it is necessary to modify the dates for the Joint Proposed Pretrial Order, the Final Pretrial Conference and Trial. It is ZymoGenetics' position that, with the present trial date more than one year away, the proposed stipulation modifications to the Scheduling Order will not require extensions of the three trial-related dates mentioned above. It is Bristol-Myers' position that the proposed modifications to the Scheduling Order may require an extension of the above three deadlines, in part because the modifications shorten the time between the claim construction hearing and the submission of the Final Pretrial Order from more than three months to less than two months. This modification allows less time for the Court to construe the claim terms and issue a decision on case dispositive motions before the commencement of trial related activities.

The parties have agreed that the decision whether to modify the remaining three dates can be decided once the vacant judgeship is filled and this case is reassigned.

If Your Honor has any questions on the foregoing request, counsel are available at the Court's convenience.

Respectfully,

Frederick L. Cottrell, III (#2555)

FLC,III/afg
cc: Clerk of the Court (via electronic filing)
Philip A. Rovner, Esq. (via electronic filing and hand delivery)