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February 5, 2008

VIA ELECTRONIC FILING
The Honorable Gregory M. Sleet
United States District Court for the District of Delaware
844 King Street
Wilmington, Delaware 19801

Re: ***Sciele Pharma, Inc., et. al. v. Mylan Pharmaceuticals, Inc., et al. C.A. Nos. 07-664 and 07-818***

Your Honor:

Pursuant to Local Rule 7.1.4, Defendants request oral argument on Defendants' Motions to Dismiss Plaintiffs' Complaint For Lack of Standing and Subject Matter Jurisdiction (D.I. No. 12 (07-664) and D.I. No. 8 (07-818)). Briefing on this motion was completed on Monday, February 4, 2008.

As Your Honor knows, this case arises under the Hatch-Waxman Amendments, which Congress enacted for the express purpose of "get[ting] generic drugs into the hands of patients at reasonable prices—fast." *In re Barr Labs., Inc.*, 930 F.2d 72, 76 (D.C. Cir. 1991). Congress also imposed an express statutory duty on all parties to "reasonably cooperate in expediting the action." 21 U.S.C. § 355(j)(5)(B)(iii). But as set forth in Mylan's papers, Mylan is currently subject to an unwarranted 30-month stay of FDA approval of its competing generic products. In view of that unwarranted stay, as well as the upcoming expiration of the patent-in-suit on June 8, 2008, Mylan respectfully requests an expedited hearing on its motion to dismiss.

Respectfully,

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MBM/tmp

cc: Clerk of the Court
William J. Marsden, Jr.