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August 16, 2011

BY E-FILING, E-MAIL AND HAND DELIVERY

The Honorable Vincent J. Poppiti, Special Master
Fox Rothschild LLP
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RE: *The Medicines Co. v. Teva Parenteral Medicines, Inc., et al.*,
C.A. No. 09-750-ER (Consolidated) (D. Del.)

Dear Judge Poppiti:

APP does not intend to object to Your Honor's August 15th Order (D.I. 536); however, APP writes to clarify the record with respect to the Order's second full paragraph on page 2 and the accompanying footnote. APP notes that MedCo discussed materiality before Judge Robreno in connection with APP's Motion to Amend. *Compare* D.I. 527 § B *with* D.I. 321 § III and D.I. 451 § II.B. *See also* APP's Response at D.I. 336 § 2.A. The Court's Order of July 19, 2011, identified these papers as among those considered by the Court in ruling on the Amended Report and Recommendation. (*See* D.I. 494 & n.2).

Respectfully submitted,

/s/ *Elena C. Norman*

Elena C. Norman (No. 4780)

ECN:mcm

cc: All Counsel of Record