IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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| KYPHON, INC.,<br><br>Plaintiff,<br>v.<br><br>DISC-O-TECH MEDICAL TECHNOLOGIES, LTD. and DISC ORTHOPAEDIC TECHNOLOGIES, INC.,<br><br>Defendants. | Civil Action No. 04-0204-JJF |

**CERTIFICATE OF SERVICE**

I hereby certify that on March 10, 2005, I electronically filed a Notice of Service for the Expert Report of Dr. David Mitchell with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following:

Thomas L. Halkowski
FISH & RICHARDSON P.C.
919 N. Market Street, Suite 1100
P.O. Box 1114
Wilmington, DE 19899-1114

MORRIS, NICHOLS, ARSHT & TUNNELL

/s/ Maryellen Noreika (#3208)

Maryellen Noreika (#3208)
E-mail address: mnoreika@mnat.com
James W. Parrett, Jr. (#4292)
1201 N. Market Street
P. O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
Attorneys for Defendants/Counterclaimants
Disc-O-Tech Medical Technologies, Ltd.
and Disc Orthopaedic Technologies, Inc.