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April 18, 2005

VIA HAND DELIVERY
Ms. Anita Bolton
Courtroom Deputy – JJF
United States District Court for the District of Delaware
844 N. King Street
Wilmington, DE 19801

RE: *Kyphon Inc. v. Disc-O-Tech Medical Technologies Ltd, et al.*
USDC-D. Del. - C.A. 04-204-JJF

FR

AUSTIN
BOSTON
DALLAS
DELAWARE
NEW YORK
SAN DIEGO
SILICON VALLEY
TWIN CITIES
WASHINGTON, DC

Dear Ms. Bolton:

We are scheduled to appear for a *Markman* hearing and oral arguments on summary judgment in Courtroom 4B on Tuesday, April 19, 2005 at 1:00 p.m. I am writing to request permission for Frank Scherkenbach and myself to bring laptop computers to Courtroom 4B for the hearing, We are aware of the Court's October 20, 2004 Order, and agree to comply with the policies and procedures set forth by the Court, as well as the United States Marshal's policy regarding electronic devices. I have enclosed a proposed order regarding this request.

Respectfully,

Thomas L. Halkowski

TLH/sb

Enc.

cc Clerk of Court (via hand delivery)
Maryellen Noreika, Esq. (via hand delivery)
Mr. Keith Ash, Chief Court Security Officer (via hand delivery)
U.S. Marshal's Office (via hand delivery)

80024006.doc

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

KYPHON INC., Plaintiff, v. DISC-O-TECH MEDICAL TECHNOLOGIES LTD., and DISC ORTHOPAEDIC TECHNOLOGIES, INC., Defendants.	C.A. No. 04-204-JJF

ORDER RE USE OF LAPTOPS IN COURTROOM 4B

The attorneys listed below from the firm Fish & Richardson P.C. are permitted to bring laptop computers into the J. Caleb Boggs Federal Courthouse, for use in Courtroom 4B, during the oral arguments scheduled for Tuesday, April 19, 2005, beginning at 1:00 p.m.

Counsel shall comply with the inspection provisions of the United States Marshal.

Thomas L. Halkowski

Frank E. Scherkenbach

SO ORDERED this ____ day of April, 2005.

_____
United States District Court Judge