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May 17, 2005

BY E-FILING & HAND DELIVERY

Ms. Deborah Krett
Case Manager, Chambers of
The Honorable Joseph J. Farnan, Jr.
U.S. District Court
844 King Street, Lockbox 27
Wilmington, DE 19801

Re: Request for Permission to have Laptop Computers in Courtroom 4B -- *Kyphon Inc. v. Disc-O-Tech Medical Technologies, et al.* C.A. 04-204-JJF

Dear Ms. Krett:

We are scheduled to appear in a Pretrial Conference before Judge Farnan, in Courtroom 4B today at 4:00 p.m. and request permission to bring laptop computers to Courtroom 4B to assist in presentation during the Pretrial Conference. Attached is a proposed Order for the Court's consideration. I am aware of the Court's October 20, 2004 Order and agree to comply with the policies and procedures instituted by the Court as well as the United States Marshal's policy regarding electronic devices.

Sincerely,

Maryellen Noreika

MN:pab
cc: Peter T. Dalleo, Clerk of the Court
David Thomas, United States Marshal
Keith Ash, Chief Court Security Officer
Thomas L. Halkowski, Esquire

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 are permitted to bring laptop computers into the J. Caleb Boggs Federal Courthouse, for use in Courtroom 4B, during the pretrial conference scheduled for Tuesday, May 17, 2005 at 4:00 p.m. Counsel shall comply with the inspection provisions of the United States Marshal.

Maryellen Noreika
Eric J. Lobenfeld
Jonathan M. Sobel

SO ORDERED this _____ day of May, 2005.

JOSEPH J. FARNAN, JR.
United States District Court Judge