MORRIS, NICHOLS, ARSHT & TUNNELL

1201 NORTH MARKET STREET
P.O. BOX 1347
WILMINGTON, DELAWARE 19899-1347

302 658 9200
302 658 3989 FAX

MARYELLEN NOREIKA
302 575 7278
302 425 3011 FAX
mnoreika@mnat.com

May 19, 2005

BY E-FILING AND HAND DELIVERY

The Honorable Joseph J. Farnan, Jr.
United States District Court
844 King Street
Wilmington, Delaware 19801

Re: Kyphon, Inc. v. Disc-O-Tech Medical Technologies, Ltd., *et al.*,
C.A. No. 04-0204 (JJF)

Dear Judge Farnan:

Kyphon's letter to the Court this morning included several letters about the schedule for this case that had been exchanged between the parties. So that then Court has a complete record of those letters, I am attaching Disc-O-Tech's response to Kyphon's most recent letter.

Respectfully,

Maryellen Noreika (#3208)

Enclosure
cc: Dr. Peter T. Dalleo, Clerk (By Hand - w/encl.)
Thomas L. Halkowski, Esquire (By E-Filing & By Hand - w/encl.)