A 1

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Kyphon's Preliminary Trial Exhibit List

Kyphon reserves the right to supplement or otherwise amend this exhibit list in light of resolution of the claim construction issues and pending motions.

KY TRIAL EXHIBIT NO.	DESCRIPTION	DESIGNATED AT DEPO OF /USED IN	DOC DATE	BATES RANGE	OBJECTIONS 1, 2
PTX 1	U.S. Patent No. 4,969,888 Surgical Protocol for Fixation Of Osteoporotic Bone Using Inflatable Device (Scholten et al.)	ITC Complaint Public Ex. 1		KY 827-859	
PTX 2	U.S. Patent No. 5,108,404 Surgical Protocol for Fixation Of Bone Using Inflatable Device (Scholten et al.)	ITC Complaint Public Ex. 2		KY 333-353	
PTX 3	U.S. Patent No. 6,235,043 B1 Inflatable Device for Use in Surgical Protocol Relating to Fixation of Bone (Reiley et al.)	ITC Complaint Public Ex. 3		KY 52170-52181	
PTX 4	U.S. Patent No. 6,241,734 B1 Systems and Methods for Placing Materials Into Bone (Scribner et al.)				
PTX 5	U.S. Patent No. 6,613,054 B2 Systems and Methods for Placing Materials Into Bone (Scribner et al.)				
PTX 6	U.S. Patent No. 5,108,400 Striking Tool for Surgical Instruments (Appel et al.)				NW
PTX 7	U.S. Patent No. 6,013,080 Tamp with Horizontal Steps Used for Impaction Bone Grafting in Revision Femur (Khalili)				NW

1 As set forth in the letter from Jonathan Sobel to Thomas Halkowski, dated May 11, 2005, DOT objects to Kyphon's Preliminary Exhibit List as overly broad. Kyphon's exhibit list appears to encompass almost every document ever produced in this litigation. It does not appear as though Kyphon made any attempt to narrow the number of potential exhibits for trial. To the extent that DOT was able to identify the exhibits listed on Kyphon's exhibit list, DOT made its objections based on the description provided, and objections are indicated using the key provided below. As for descriptions that were too broad and/or incomplete, DOT could not make meaningful objections. It was impossible for DOT to raise any objections for those entries with no description at all, due to the sheer volume of those entries. The mere listing of a production number was not sufficient to allow DOT to make a fully informed objection, given the limited time and the excessive number of documents. DOT reserves all objections to the exhibits listed in Kyphon's exhibit list up to the time of their presentation at Trial.

2 Key to DOT's Objections - A = Authenticity under FRE 901 et. seq. not established; C = Competency; H = Hearsay, FRE 802; I = Incomplete, FRE 106; IO = Improper Opinion Testimony by non-expert; IS = Improper summary of voluminous writings under FRE 1006; M = Not material, under FRE 401; P = Prejudicial, confusing or misleading, FRE 403; R = Not relevant, FRE 402; ? = Not sufficiently identified for DOT/Kyphon to determine whether this item constitutes relevant evidence; Multiple = Appears to contain multiple exhibits grouped as one; NW = No Proffering Witness; D = Discovery Document/Court Filing

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PTX 8	U.S. Patent No. 6,171,312 B1 Power-Driven Osteotome Tools for Compaction of Bone Tissue (Beaty)				NW
PTX 9	Copy of File History of U.S. Patent No. 6,235,043 B1 Inflatable Device for Use in Surgical Protocol Relating to Fixation of Bone (Reiley et al.)			KY 229044-364	
PTX 10	Copy of File History of U.S. Patent No. U.S. Patent No. 4,969,888 Surgical Protocol for Fixation Of Osteoporotic Bone Using Inflatable Device (Scholten et al.)			KY 228787-907	
PTX 11	Copy of File History of U.S. Patent No. U.S. Patent No. 5,108,404 Surgical Protocol for Fixation Of Bone Using Inflatable Device (Scholten et al.)			KY 228908-043	
PTX 12	Copy of File History of U.S. Patent No. 6,613,054 B2 Systems and Methods for Placing Materials Into Bone (Scribner et al.)			KY 387150-387414	
PTX 13	Copy of File History of U.S. Patent No. 6,241,734 B1 Systems and Methods for Placing Materials Into Bone (Scribner et al.)			KY 386958-387149	
PTX 14	Complainants First Corporate Deposition Notice to Respondent Disc Orthopaedic Technologies, Inc.	Kazaz Ex. 1 7/7/04	11/13/1990		D, R
PTX 15	USA Production – Management Plan (Revision Status Original)	Kazaz Ex. 2 7/7/04	4/28/1992	DOTINC 1635-1650	
PTX 16	Clean Room Office File	Kazaz Ex. 3 7/7/04	5/22/2001	DOTINC 277-292	
PTX 17	Kazaz email to Magal re issues concerning introduction of SKy into US Market	Kazaz Ex. 4 7/7/04	6/5/2001	DOTINC 7447	
PTX 18	Kazaz letter to Foster, Dunworth, Gleason, Neubauer, Martin, Hebert, Saunders, Sosa, O'Neill & Reguiferos re Kyphon suits against DOT	Kazaz Ex. 5 7/7/04	6/19/2001	DOTINC 5786-815	

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PTX 19	Kazaz letter to Dunworth, Sosa, Gleason, Regueiferos, Saunders, Hebert, Neubauer, Martin, O'Neill, Foster re returning all inventory of SKy System	Kazaz Ex. 6 7/7/04	9/2/2003	DOTINC 8806-8825	
PTX 20	Declaration of Oren Globerman, U.S. ITC Investigation No. 337-TA-507	Kazaz Ex. 7 7/7/04	4/28/1992		R, H
PTX 21	Barak emails to Kazaz re AAOS Meeting Schedule; Shavit email to Kazaz re AAOS Hospitality Suite Training Seminar; Reilly email to Kazaz and Bezoza re Kyphoplasty Device	Kazaz Ex. 8 7/7/04	1/11/2000	DOTINC 6008-6017	
PTX 22	Cripe email to Kazaz re SKy Bone Expander	Kazaz Ex. 9 7/7/04	1/9/2001	DOTINC 6331-6332	
PTX 23	Morales email to Kazaz re SKy Agent	Kazaz Ex. 10 7/7/04	04/00/2004	DOTINC 3302-3303	
PTX 24	DOT - Inventory In Stock Detail	Kazaz Ex. 11 7/7/04		DOTINC 255-270	
PTX 25	Morales email to Kazaz re Surgical Guidelines and Tips	Kazaz Ex. 12 7/7/04		DOTINC 6917-6918	
PTX 26	Surgical Technique; The SKy Bone Expander System, Percutaneous Bone Void	Kazaz Ex. 13 7/7/04	6/3/2004	DOTINC 1399-1409	
PTX 27	DOT SKy Bone Expander System - FAQ	Kazaz Ex. 14 7/7/04	50/3/04	DOTINC 4891-4893	
PTX 28	Appendix A – SKy Bone Expander System Instructions for Use (IFU)	Kazaz Ex. 15 7/7/04	12/00/03	DOTINC 686-689	
PTX 29	Sade email to Distributor re SKy – Surgical Tips	Kazaz Ex. 16 7/7/04	5/14/2004	DOTINC 7649	
PTX 30	Barak email to Kazaz re Product Manual – SKy	Kazaz Ex. 17 7/7/04	6/14/2004	DOTINC 7304-7323	
PTX 31	DOT SKy Bone Expander System – Key Selling Points (Version 2.0 6/3/2004 7:53 PM)	Kazaz Ex. 18 7/7/04	6/29/2004	DOTINC 5268-5269	
PTX 32	Kazaz letter to Peress re thank you for using SKy Bone Expander System on patient	Kazaz Ex. 19 7/7/04	6/30/2004	DOTINC 539	
PTX 33	The SKy Bone Expander System, Novel Technique for Kyphoplasty	Kazaz Ex. 20 7/7/04	3/4/2004 3/5/04	DOTINC 5287-5329	

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PTX 34	Morales letter to Martin enclosing SKy Bone Expander System Demonstration kits	Kazaz Ex. 21 7/7/04	3/24/2004	DOTINC 727-728	
PTX 35	Barak email to Kazaz re first draft of Business Plan	Kazaz Ex. 22 7/15/04	4/13/2004	DOTINC 6166-6177	
PTX 36	DOT Financial/Structural – Item 7	Kazaz Ex. 23 7/15/04	6/2/2004	DOTINC 1841-1842	
PTX 37	Elkayam email to Kazaz w/ attached financial spreadsheet re DOT	Kazaz Ex. 24 7/15/04	5/7/2004	DOTINC 8826-8832	
PTX 38	DOT Draft Purchase Order	Kazaz Ex. 25 7/15/04	03/00/04	DOTINC 9097-9099	
PTX 39	DOT Draft Purchase Order	Kazaz Ex. 26 7/15/04	01/00/04	DOTINC 9100	
PTX 40	DOT Purchase Order	Kazaz Ex. 27 7/15/04	12/00/03	DOTINC 9101	
PTX 41	Hanan email to Iky Hartman DOT re Quote	Kazaz Ex. 28 7/15/04	5/20/2004	DOTINC 9102	
PTX 42	Hartman email to Kazaz re PO #400724 for 300 pieces	Kazaz Ex. 29 7/15/04	6/1/2004	DOTINC 9188	
PTX 43	DOT Proforma Invoice 1608	Kazaz Ex. 30 7/15/04	12/00/03	DOTINC 9244-9248	
PTX 44	DOT Proforma Invoice 1588	Kazaz Ex. 31 7/15/04	5/11/2004	DOTINC 9119	
PTX 45	DOT Purchase Order PO400663	Kazaz Ex. 32 7/15/04	5/23/2004	DOTINC 9121	
PTX 46	Summary of DOT's investment into manufacturing of products in the United States	Kazaz Ex. 33 7/15/04	4/16/2004	DOTINC 8922	
PTX 47	Sandvic Materials Technology – Tubular Production Packing List. Sandvic Order # 35592 Line # 1; Inspection Certificate; E-mail to Dasha Bezoza from Iky Hartman re pn:6145 St. St 316LVM Tube 5.2 x 4.82	Kazaz Ex. 34 7/15/04	2/2/2004	DOTINC 9165-9171	
PTX 48	Product order sheets	Kazaz Ex. 35 7/15/04	7/7-8/04	DOTINC 9250-9251; DOTINC 9257-9260	
PTX 49	E-mail to/from Ronny Barak to/from Ethan S. Lauer re Surgical Tips and Guidelines	Kazaz Ex. 36 7/15/04	2/24/2004	DOTINC 8392-8393	
PTX 50	The Sky Bone Expander System for Void Creation and Vertebral Height Restoration	Kazaz Ex. 37 7/15/04	5/23/2004	DOTINC 8753- 8805	
PTX 51	DOT Sky Bone Expander System – Order 1; Sky Bone Expander System – Price Lists	Kazaz Ex. 38 7/15/04	6/3/2004	DOTINC 1425-1428; DOTINC 3833; DOTINC 5242; DOTINC 5272-5274	

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PTX 52	E-mail to Tamir Kazaz from Ronny Barak re Update on Dr. Cohen Activity	Kazaz Ex. 39 7/15/04	4/13/2004	DOTINC 6796	
PTX 53	A Study Protocol for Comparing the Sky Bone Expander System with the Kyphon	Kazaz Ex. 40 7/15/04	5/19/2004	DOTINC 5218-5227	
PTX 54	Sky Bone Expander System, Initial Clinical Results	Kazaz Ex. 41 7/15/04	Undated	DOTINC 3979-3997	
PTX 55	Sky Bone Expander System – Guidelines and Tips	Kazaz Ex. 42 7/15/04	5/7/2004	DOTINC 4020-4021	
PTX 56	Sky Bone Expander System, Training Manual	Kazaz Ex. 43 7/15/04	6/00/04	DOTINC 4023-4306	
PTX 57	Fax to Gigi from Dasha Bezoza re Products Associated with the Sky Bone Expander System	Kazaz Ex. 44 7/15/04	1/13/2004	DOTINC 471-472	
PTX 58	DOT Sky Bone Expander System for US Residents and for International (non-US) Residents	Kazaz Ex. 45 7/15/04	6/27/2004	DOTINC 7339-7342	
PTX 59	E-mail to Chris Bouchard from Kathy Morales re New Trial Inserter	Kazaz Ex. 46 7/15/04	5/19/2004	DOTINC 4314	
PTX 60	DOT Proforma Invoices	Kazaz Ex. 47 7/15/04		DOTINC 142-169	
PTX 61	Fax to Orian from Tamir Kazaz re Comments on Sky Surgical Technique	Kazaz Ex. 48 7/15/04	6/1/2004	DOTINC 988-1001	
PTX 62	E-mail to Chad Saunders from Kathy Morales re Case Studies and Price List	Kazaz Ex. 50 7/15/04	5/20/2004	DOTINC 3827-3833	
PTX 63	DOT Sky Bone Expander Description	Kazaz Ex. 51 7/15/04	12/28/2003	DOTINC 2349-2351	
PTX 64	E-mail to KHarris from David Elkayam re Karren – Meeting Dr. Bronw	Kazaz Ex. 52 7/15/04	1/13/2004	DOTINC 469	
PTX 65	DOT Letter to Tom Vaughan from Tamir Kazaz	Kazaz Ex. 53 7/15/04	5/21/2004	DOTINC 720	
PTX 66	Letter to Mary Ellen Keenan from Dasha Bezoza	Kazaz Ex. 54 7/15/04	2/20/2004	DOTINC 362-364	
PTX 67	Surgeon Leads from AANS 2004	Kazaz Ex. 55 7/15/04	2004	DOTINC 1559-1561	
PTX 68	DOT Sales Report 2004-01-01 to 2004-05-24	Kazaz Ex. 56 7/15/04		DOTINC 173- 178	

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PTX 69	DOT Agent Policy Manual	Kazaz Ex. 57 7/15/04	5/00/04	DOTINC 4627-4637	
PTX 70	Letter to Doctor from Kazaz	Kazaz Ex. 58 7/15/04	3/19/2004		
PTX 71	E-mail to Dr. Alan Levine from Ronny Barak re Request for a Meeting on the Sky Bone Expander Device for Kyphoplasty	Kazaz Ex. 59 7/15/04	2/6/2004	DOTINC 6134-6136	
PTX 72	E-mail to Info:spineupdate.com from Ronny Barak re Request for a Meeting on Sky Bone Expander for Kyphoplasty	Kazaz Ex. 60 7/15/04	2/4/2004	DOTINC 6147-6150	
PTX 73	E-mail to Dr. Alan Levine from Ronny Barak re interest in SKy Bone Expander	Kazaz Ex. 61 7/15/04	2/1/2004	DOTINC 6190-6192	
PTX 74	E-mail to Tamir Kazaz from Ronny Barak re Request for a Meeting-Sky Bone Expander System	Kazaz Ex. 62 7/15/04	3/3/2004	DOTINC 6312-6313	
PTX 75	E-mail from Ronny Barak to Dr. Reuter re SKy	Kazaz Ex. 63 7/15/04	2/3/2004	DOTINC 7933-7934	
PTX 76	E-mail to Tamir Kazaz from Kathy Morales re Updated Doctor List	Kazaz Ex. 64 7/15/04	5/24/2004	DOTINC 7177-7179	
PTX 77	E-mail to Bill Martin from Kathy Morales re Sky Comparison	Kazaz Ex. 65 7/15/04	4/28/2004	DOTINC 4792-4794	
PTX 78	E-mail to Tamir Kazaz from Ronny Barak re Business Plan	Kazaz Ex. 66 7/15/04	4/30/2004	DOTINC 006855	
PTX 79	Sky Bone Expander System Instructions for Use	Kazaz Ex. 67 7/15/04	1/00/04		
PTX 80	E-Mail string between Globerman and Bill James requesting quote	Globerman Ex. 69 7/29/04		DOTLTD 10855- 10861	
PTX 81	DOT Shipping Order	Globerman Ex. 70 7/29/04	1/9/2004	DOTLTD 4859-4874	
PTX 82	DOT Shipping Order	Globerman Ex. 71 7/29/04	Multiple	DOTLTD 4839-4856	
PTX 83	E-mail to Steven Mesdom from Dabid Elkayam re Cormed – Sky Bone Expander	Globerman Ex. 72 7/29/04	4/18/2004	DOTLTD 9892-9893	
PTX 84	E-mail to Ronene Shavit from Yael Rubin re Radiation Sterilization, with attached product Material Listings	Globerman Ex. 73 7/29/04	11/26/2003	DOTLTD 10779-10784	

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PTX 85	List of Serial Numbers of Components	Globerman Ex. 74 7/29/04	6/3/2004	DOTLTD 2784-2787	
PTX 86	Conformity Assessment Checklist/Essential Requirements for B-Twin system, Sky System	Globerman Ex. 75 7/29/04	Undated	DOTLTD 1532-1559	
PTX 87	B-Twin BE System, Risk Analysis	Globerman Ex. 76 7/29/04	Undated	DOTLTD 438-467	
PTX 88	B-Twin BE System, Product (Tube Specification)	Globerman Ex. 77 7/29/04	Undated	DOTLTD 533-547	
PTX 89	B-Twin BE, In Vitro Study Plan	Globerman Ex. 78 7/29/04	Undated	DOTLTD 573-587	
PTX 90	B-Twin BE System, In Vitro Study Results	Globerman Ex. 79 7/29/04	Undated	DOTLTD 588-618	
PTX 91	SKY System, Manufacturing Flow Chart	Globerman Ex. 80 7/29/04	Undated	DOTLTD 702-723	
PTX 92	Sky Size Selection	Globerman Ex. 81 7/29/04	Undated	DOTLTD 5624	
PTX 93	Short Description of the Sky Bone Expander System	Globerman Ex. 82 7/29/04	Undated	DOTLTD 9922	
PTX 94	Letter addressed "Dear XXX," from Reven	Globerman Ex. 83 7/29/04	Undated	DOTLTD 5604-5606	
PTX 95	E-mail to reuveng@clalit.org.il, from David Elkayam re Dr. Courrier	Globerman Ex. 84 7/29/04	1/1/2004	DOTLTD 3306-3307	
PTX 96	SKy Bone Expander System, Instructions for Use	Globerman Ex. 85 7/29/04	Undated	DOTLTD 413-415	
PTX 97	DOT Impactor, Instructions for Use	Globerman Ex. 86 7/29/04	Undated	DOTLTD 123	
PTX 98	Surgical Technique, The Sky Bone Expander System, Kyphoplasty	Globerman Ex. 87 7/29/04	Undated	DOTLTD 1560-1576	
PTX 99	Document re Revenues and Costs of Goods Sold Headed "Disc-O-Tech Medical Technologies Ltd."	Globerman Ex. 88 7/29/04	Undated	DOTLTD 5533-5548	
PTX 100	E-mail Exchange Between Motti Beyar, Tamir Kazaz and Gal Barshem re Dr. Hirsch with Attachment	Globerman Ex. 89 7/29/04	7/1/2004	DOTLTD 10991-10994	
PTX 101	E-mail to Tamir Kazaz from Motti Beyar re Dr. Lane	Globerman Ex. 90 7/29/04	2/20/2004	DOTLTD 10988	
PTX 102	E-mail Exchange Between Yael Rubin and Ulrike Westhus re Complaints	Globerman Ex. 91 7/29/04	8/26/2003	DOTLTD 10786	

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PTX 103	E-mail and Note 510(k) Status	Globerman Ex. 92 7/29/04	Undated	DOTLTD 10816	
PTX 104	E-mail to Beyar Home from David Elkayam re DRG Disc-O-Tech	Globerman Ex. 93 7/29/04	6/21/2004	DOTLTD 6377	
PTX 105	Sky System, Clinical Evaluation – Spinal Indication	Globerman Ex. 94 7/29/04	Undated	DOTLTD 1843-1860	
PTX 106	Sky Systems, Design and Development Plan	Globerman Ex. 95 7/29/04	Undated	DOTLTD 431-4437	
PTX 107	Quality Manual	Globerman Ex. 96 7/29/04	Undated	DOTLTD 1522-1524	
PTX 108	Discotech Medical Technologies Ltd., 2003 Annual Report	Globerman Ex. 97 7/29/04	2003	DOTLTD 10048-10073	
PTX 109	Document in Hebrew	Globerman Ex. 98 7/29/04	5/25/2003	DOTLTD 1227	
PTX 110	Translation of Document				
PTX 111	Handwritten Document with "B-Twin"	Globerman Ex. 99 7/29/04	6/23/2003	DOTLTD 3387	
PTX 112	Translation of Document			DOTLTD 3387	
PTX 113	B-Twin BE – Design Review (DR)	Globerman Ex. 100 7/29/04	8/17/2003	DOTLTD 1630-1635	
PTX 114	Translation of Document			DOTLTD 1630-1635	
PTX 115	B-Twin BE – Design Review (DR)	Globerman Ex. 101 7/29/04	8/17/2003	DOTLTD 3364-3371	
PTX 116	Translation of Document			DOTLTD 3364-3365	
PTX 117	Deformable Tools and Implants	Globerman Ex. 102 7/29/04	Undated	DOTLTD 10309-10377	
PTX 118	Test Report	Globerman Ex. 103 7/29/04	Undated	DOTLTD 1770	
PTX 119	Translation of Document			DOTLTD 1770	
PTX 120	E-mail to Orian Sade from Kathy Morales re Question	Globerman Ex. 104 7/29/04	5/21/2004	DOTLTD 3868	
PTX 121	E-mail to Ronny Barak from Tamir Kazaz re Adjustments Needed Due to the Kyphon Claims	Globerman Ex. 105 7/29/04	8/4/2004	DOTINC 6906	
PTX 122	E-mail re DOT SKy Bone Expander System	Globerman Ex. 106 7/29/04	5/26/2004	DOTLTD 7429	
PTX 123	Complainant's First Corporate Deposition Notice to Respondent Disc-O-Tech Medical Technologies, Ltd.	Globerman Ex. 107 7/29/04	6/7/2004		D, R

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PTX 124	Mt. Sinai Operative Report	Cohen Ex. 108 10/14/04	9/15/2004	COHEN 10, 14	
PTX 125	Mt. Sinai Operative Report	Cohen Ex. 109 10/14/04	5/17/2004	COHEN 28-29	
PTX 126	Mt. Sinai Operative Report	Cohen Ex. 110 10/14/04	8/23/2004	COHEN 45-46	
PTX 127	Mt. Sinai Operative Report	Cohen Ex. 111 10/14/04	6/7/2004	COHEN 70-71	
PTX 128	Mt. Sinai Operative Report	Cohen Ex. 112 10/14/04	6/9/2004	COHEN 91-93	
PTX 129	Mt. Sinai Operative Report	Cohen Ex. 113 10/14/04	5/14/2004	COHEN 148	
PTX 130	Mt. Sinai Operative Report	Cohen Ex. 114 10/14/04	4/12/2004	COHEN 160-161	
PTX 131	Mt. Sinai Operative Report	Cohen Ex. 115 10/14/04	8/19/2004	COHEN 234-237	
PTX 132	Mt. Sinai Operative Report	Cohen Ex. 116 10/14/04	6/14/2004	COHEN 282-286	
PTX 133	Mt. Sinai Operative Report	Cohen Ex. 117 10/14/04	6/28/2004	COHEN 356-358	
PTX 134	Mt. Sinai Operative Report	Cohen Ex. 118 10/14/04	3/24/2004	COHEN 384-385	
PTX 135	Mt. Sinai Operative Report	Cohen Ex. 119 10/14/04	3/10/2004	COHEN 415-416	
PTX 136	Mt. Sinai Operative Report	Cohen Ex. 120 10/14/04	4/26/2004	COHEN 431-433	
PTX 137	South Florida Spine screen shot re Kyphoplasty. Kyphoplasty is performed for osteoporotic spinal fractures in cases of progressive collapse or intractable pain. This procedure is designed to stabilize the fracture, without the extensive morbidity of open surgical techniques.	Cohen Ex. 121 10/14/04	10/13/2004		
PTX 138	South Florida Spine screen shot; Journal Article: Advances in Osteoporotic Fracture Management	Cohen Ex. 122 10/14/04	10/13/2004		
PTX 139	OR Scheduling Request Form for Kyphoplasty procedure	Cohen Ex. 123 10/14/04	6/7/2004	COHEN 62	

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PTX 140	OR Scheduling Request Form for Kyphoplasty procedure	Cohen Ex. 124 10/14/04	6/9/2004	COHEN 100	
PTX 141	OR Scheduling Request Form for Kyphoplasty procedure	Cohen Ex. 125 10/14/04	5/14/2004	COHEN 152	
PTX 142	Subpoena of Cohen	Cohen Ex. 126 10/14/04	9/8/2004	N/A	D, R
PTX 143	Declaration of William S. Rosenberg, M.D.	Rosenberg Ex. 131 11/22/04	11/10/2004	N/A	
PTX 144	Second Amended Notice of Deposition of William Martin	Martin Ex. 132 1/20/05	1/18/2005	N/A	D, R
PTX 145	Subpoena of William Martin	Martin Ex. 133 1/20/05	1/7/2005	N/A	D, R
PTX 146	Sales Agent Agreement between DOT and Bill Martin for SKy Bone Expander System	Martin Ex. 134 1/20/05	4/10/2004	DOTINC 732 – 747	R
PTX 147	SKY Bone Expander System Training Manual	Martin Ex. 135 1/20/05	11/00/2004	DOTINC 9430-9588	
PTX 148	DOT Agent Policy Manual	Martin Ex. 136 1/20/05	09/00/2004	DOTINC 9369-9378	
PTX 149	Surgical Technique manual for SKy Bone Expander System	Martin Ex. 137 1/20/05	3/00/2004	N/A	
PTX 150	SKy Bone Expander System Instructions for Use	Martin Ex. 138 1/20/05	07/00/2004		
PTX 151	(DOT Training Manual) – .ppt re Anatomy of the Spine	Martin Ex. 1391/20/05			
PTX 152	SKY Bone Expander System: Bone Filler Set: Sky Bone Imp actor Kit (physical)	Martin Ex. 140 1/20/05			
PTX 153	DOT Sales Report 1/1/04 – 12/13/04	Martin Ex. 141 1/20/05	1/6/2005	DOTINC 9607-9615	
PTX 154	Product Delivered Goods Form	Martin Ex. 142 1/20/05	5/18/2004	DOTINC 2925-2927	
PTX 155	E-mail from Kathy Morales to Bill Martin re Kyphon Price Lists	Martin Ex. 144 1/20/05	5/19/2004	DOTINC 4316	
PTX 156	Letter from Katherine Morales to Bill Martin re enclosed SKy Bone Expander System Demonstration Kit	Martin Ex. 145 1/20/05	4/16/2004	DOTINC 4722	
PTX 157	E-mail from Kathy Morales to Tamir Kazaz (cc. Ronny Barak, Bill Martin) re Letter to Dr. Majd	Martin Ex. 146 1/20/05	5/24/2004	DOTINC 7210-7211	
PTX 158	E-mail from Kathy Morales to Bill Martin re SKy comparison to competitors	Martin Ex. 147 1/20/05	4/28/2004	DOTINC 4792-4794	

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PTX 159	E-mail from Ronny Barak to Bill Martin re incident with Dr. Page	Martin Ex. 148 1/20/05	6/3/2004	DOTINC 8709	
PTX 160	E-mail from Tamir Kazaz to Ronny Barak (cc Kathy Morales) re Dr. Lee's non-use of SKy device due to patent litigation	Martin Ex. 149 1/20/05	5/11/2004	DOTINC 7449	
PTX 161	New/Replacement Technology Request Form	Martin Ex. 150 1/20/05	N/A	WM 59	
PTX 162	E-mail from (redacted) to Bill Martin re Dr. Majd and DOT, use of SKy device	Martin Ex. 151 1/20/05	6/18/2004	WM 96-97	
PTX 163	DOT Agent Policy Manual	Martin Ex. 152 1/20/05	8/00/04	WM 117-127	
PTX 164	Kyphon Request for Purchase Order	Martin Ex. 153 1/20/05	2/25/2004	WM 202-213	
PTX 165	Balloon Inflation Geometry Comparison Chart	Martin Ex. 154 1/20/05	4/23/2004	WM 224	
PTX 166	Letter from Bill Martin to (redacted) re enclosed paperwork from Dr. Majd's 3 cases	Martin Ex. 155 1/20/05	5/21/2004	WM 1-5	
PTX 167	Instruction and Tips on the Proper Use of the Ava-Tex Cement Delivery System	Beyar Ex. 156 1/25/05		WM 13-14	
PTX 168	SKy System Design and Development Plan, rev. 3	Beyar Ex. 157 1/25/05		DOTLTD 431-437	
PTX 169	Technical document for development of Kyphoplasty from inflatable tube	Beyar Ex. 158 1/25/05	5/25/2003	DOTLTD 1622	
PTX 170	BE/Twin Status Meeting document	Beyar Ex. 159 1/25/05		DOTLTD 3377	
PTX 171	Translation of Document			DOTLTD 3377	
PTX 172	SKy System stage 2 design review	Beyar Ex. 160 1/25/05	1/14/2003	DOTLTD 3361-3362	
PTX 173	Translation of Document			DOTLTD 3361-3362	
PTX 174	BE/Twin BE System Product Tube specifications	Beyar Ex. 161 1/25/05		DOTLTD 533-547	
PTX 175	E-mail re SKy Bone Expander Competitve Comparison	Beyar Ex. 162 1/25/05	4/29/2004	DOTINC 5856-5859	
PTX 176	E-mail from David Elkayam to Or Benjamin re giving Tamir hard copies of Kyphon data and training materials (IFUs) to give to Beyar	Beyar Ex. 163 1/25/05	3/31/2003	DOTLTD 6463	
PTX 177	E-mail re meeting between Beyar and McCellan	Beyar Ex. 164 1/25/05	5/4/2004	DOTINC 6872	
PTX 178	Documents from Dr. Constantz	Beyar Ex. 165 1/25/05	5/17/2004	DOTLTD 1577-1620	

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PTX 179	E-mail from Rubul to Beyar et al re SKy Stystems 510(k)	Beyar Ex. 166 1/25/05	6/24/2004	DOTLTD 10816	
PTX 180	Letter from FDA to DOT re 510(k) approval	Beyar Ex. 167 1/25/05	6/17/2004	DOTLTD 3689-3691	
PTX 181	Submission from DTO to FDA re BE/Twin Bone Expander	Beyar Ex. 168 1/25/05	7/30/2003	DOTLTD 1982-2052	
PTX 182	Collection of documents including FDA comments and DOT responses to comments	Beyar Ex. 169 1/25/05	10/00/2003	DOTLTD 2055-2063	
PTX 183	Communication with FDA	Beyar Ex. 170 1/25/05	11/00/2003	DOTLTD 2069-2074	
PTX 184	510(k) related to device modification	Beyar Ex. 171 1/25/05	12/29/2003	DOTLTD 2081-2137	
PTX 185	DOT 510(K) Pre Market Notification re Sky Bone Expander	Beyar Ex. 172 1/25/05	3/4/2004	DOTLTD 3692-3732	
PTX 186	Letter from Mott to Beyar	Beyar Ex. 173 1/25/05	3/3/2004		
PTX 187	E-mail from Mott to Beyar	Magal Ex. 174 1/26/05	4/3/2004	DOTLTD 40	
PTX 188	SKy Bone Expander System	Magal Ex. 175 1/26/05		DOTINC 2819	
PTX 189	E-mail exchange, including Kazaz to Magal re consignment set	Magal Ex. 176 1/26/05	4/1/2004	DOTINC 6396	
PTX 190	SKy Bone Expander System document	Magal Ex. 177 1/26/05		DOTLTD 9922	
PTX 191	E-mail from Magal to Beyar and Globerman	Magal Ex. 178 1/26/05	11/6/2003	DOTLTD 6427-6428	
PTX 192	E-mail from Mr. Elkayam to Tamir Kazaz and Ronny Barak cc'ing Magal	Magal Ex. 179 1/26/05	1/26/2004	DOTINC 6633	
PTX 193	E-mail from Kazaz to Beyar cc'ing Magal & attached case report by Dr. Cohen	Magal Ex. 180 1/26/05	5/23/2004	DOTINC 7172-7173	
PTX 194	SKy Bone Expander System Kyphoplasty	Magal Ex. 181 1/26/05	5/00/04	DOTLTD 14707-14713	
PTX 195	Surgical Technique Marketing document	Magal Ex. 182 1/26/05		DOTLTD 15840-15847	
PTX 196	SKy Surgical Notes	Globerman Ex. 183 1/27/05	5/20/2004	DOTLTD 5459-5462	
PTX 197	Agreement between DOT & Dr. Werding & Mr. Schnieder	Globerman Ex. 184 1/27/05	9/28/1997	DOTLTD 50005-50012	

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PTX 198	Consulting Agreement	Globerman Ex. 185 1/27/05	6/14/1999	DOTLTD 50001 – 50004	
PTX 199	30(b)(6) Depo notice from Kyphon to DOT	Globerman Ex. 186 1/27/05	1/24/2005	N/A	D, R
PTX 200	BE/Twin BE Design Review	Globerman Ex. 187 1/27/05	8/17/2003	DOTINC 1630-1635	
PTX 201	Non-infringement opinion for US Patent No. 5,108,404	Globerman Ex. 188 1/27/05	7/14/2004	DOTLTD 14204-14271	
PTX 202	Non-infringement opinion for US Patent No. 4,969,888	Globerman Ex. 189 1/27/05	7/14/2004	DOTLTD 14272-14338	
PTX 203	Non-infringement opinion for US Patent No. 6,235,043	Globerman Ex. 190 1/27/05	6/18/2004	DOTLTD 14123-14203	
PTX 204	E-mail from Barak to Kazaz re adjustments needed due to the Kyphon claims	Globerman Ex. 192 1/27/05	4/8/2004	DOTINC 6906	
PTX 205	Globerman patent search results	Globerman Ex. 193 1/27/05		DOTLTD 1835-1840	
PTX 206	E-mail from Kazaz to Barak & Globerman re valuable information	Globerman Ex. 194 1/27/05	5/11/2004	DOTLTD 1652	
PTX 207	Comparison of SKy & Balloon Kyphoplasty	Globerman Ex. 195 1/27/05		DOTLTD 14722 – 14727	
PTX 208	DOT SKy Bone Expnader Imaging & Anatomy Tutorial	Globerman Ex. 196 1/27/05		DOTLTD 14973-15007	
PTX 209	SKy System Clinical Evaluation-Spinal Indication	Globerman Ex. 197 1/27/05		DOTLTD 1843-1860	
PTX 210	E-mail re SKy Bone Expander DOT TXT	Kazaz Ex. 198 1/28/05		DOTLTD 10883	
PTX 211	30(b)(6) Depo notice from Kyphon to DOT	Kazaz Ex. 199 1/28/05	9/14/2004		D, R
PTX 212	Corporate notice from Kyphon to Disc-O-Tech LTD	Kazaz Ex. 200 1/28/05	9/14/2004		D, R
PTX 213	Proposal to Dr. Madj to build an infrastructure to do a study	Kazaz Ex. 201 1/28/05	5/24/2004	DOTINC 675-712	
PTX 214	E-mail from Morales to DOT rep Giallelj	Kazaz Ex. 202 1/28/05	4/29/2004	DOTINC 6821 - 6829	
PTX 215	Document listing revenues re BE/Twin Sky and trauma	Kazaz Ex. 203 1/28/05	6/30/2004	DOTLTD 5533- 5548	
PTX 216	Report for 12 month period ending December 31st, 2004 for the Sky bone expander system in the US	Kazaz Ex. 204 1/28/05	1/6/2005	DOTINC 9593-9639	

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PTX 217	Report for 10/04 and 12/04 representing SKy Bone Expander sales in the US	Kazaz Ex. 205 1/28/05	1/26/2005	DOTINC 50019 - 50058	
PTX 218	Sky bone expander system guidelines and tips	Kazaz Ex. 206 1/28/05	5/7/2004	DOTINC 5430 -31	
PTX 219	Surgical technique for the Sky device	Kazaz Ex. 207 1/28/05	05/00/2004	DOTLTD 15835 - 849	
PTX 220	Surgical Technique Sky bone expander system Kyphoplasty Disc-O-Tech	Kazaz Ex. 208 1/28/05		DOTLTD 6341- 6353	
PTX 221	Abstract by Dr. Gepstein presenting his results with the Sky bone expander	Kazaz Ex. 209 1/28/05	02/00/2004	DOTINC 410	
PTX 222	Sky Surgical Notes	Kazaz Ex. 210 1/28/05	5/20/2004	DOTLTD 6176 - 78	
PTX 223	SKy Bone Expander system for percutaneous fracture reduction	Kazaz Ex. 211 1/28/05	02/00/2004	DOTLTD 1575 -76	
PTX 224	SKy Bone Expander system Instructions for Use	Kazaz Ex. 212 1/28/05	01/00/2004	DOTLTD 14096 - 122	
PTX 225	E-mail from Dasha Bezoza to Kazaz re Deer agent	Kazaz Ex. 213 1/28/05	3/5/2004	DOTINC 6009 - 6010	
PTX 226	E-mail from Magal to Kazaz	Kazaz Ex. 214 1/28/05	3/16/2004	DOTINC 8112	
PTX 227	Re training CDs	Kazaz Ex. 215 1/28/05	2/3/2004	DOTINC 6158	
PTX 228	E-mail re number of Kyphoplasty procedures performed in 2003	Kazaz Ex. 216 1/28/05	4/22/2004	DOTINC 7507	
PTX 229	Photo of DOT booth	Kazaz Ex. 217 1/28/05		DOTLTD 15393 - 394	
PTX 230	Sky Bone Expander System V2.0 basic information	Kazaz Ex. 218 1/28/05	15-Dec	DOTINC 5270 -71	
PTX 231	E-mail re Dr. Shaffer and Mr. Martin	Kazaz Ex. 219 1/28/05	5/21/2004	DOTINC 3849 - 51	
PTX 232	E-mail from Kazaz to Barak re training CDs	Kazaz Ex. 220 1/28/05	5/8/2004	DOTINC 6932	
PTX 233	Three letters	Kazaz Ex. 221 1/28/05	4/14/2004	DOTINC 4689, 720, 718	
PTX 234	E-mail	Kazaz Ex. 222 1/28/05	3/22/2004	DOTLTD 9888	
PTX 235	Letters sent to DOT rep Michael O'Neil and Mr. Chipp Rupp re distributorship	Kazaz Ex. 223 1/28/05	4/13/2004	DOTINC 729, 4687	

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PTX 236	Patient Brochure	Kazaz Ex. 224 1/28/05	8/00/04	DOTINC 50000 - 50001	
PTX 237	SKy Bone Expander System Brochure	Kazaz Ex. 225 1/28/05	07/00/2004	DOTINC 50002 - 50003	
PTX 238	Four Articles	Kazaz Ex. 226 1/28/05		DOTINC 50004 - 50007	
PTX 239	Letter from Kazaz to Magal	Kazaz Ex. 227 1/28/05	5/26/2004	DOTINC 7230 - 7231	
PTX 240	Draft of letter from Kazaz to Magal	Kazaz Ex. 228 1/28/05	5/19/2004	DOTINC 7134	
PTX 241	Letter to Dr. Brook	Kazaz Ex. 229 1/28/05	4/21/2004	DOTINC 8399 - 8400	
PTX 242	Portions of Kyphon Surgeon List	Kazaz Ex. 230 1/28/05		DOTINC 3165, 3279	
PTX 243	List of Kyphon Surgeons	Barak Ex. 230-A 2/14/05		DOTINC 3165-3279	
PTX 244	E-mail from David Elkayam to Kazaz et al.	Kazaz Ex. 231 2/14/2005	1/29/2004	DOTINC 5723 - 33	
PTX 245	E-mail from David Elkayam to various DOT employees re Kyphon news	Kazaz Ex. 232 1/28/05	6/21/2004	DOTLTD 6380	
PTX 246	Fax from Kazaz to Beyar	Kazaz Ex. 233 1/28/05	5/24/2004	DOTINC 1862-1866	
PTX 247	Kyphon marketing materials forwarded by Kazaz to Yael	Kazaz Ex. 234 1/28/05	6/21/2004	DOTINC 1837- 1852	
PTX 248	Competitive Comparison Document	Kazaz Ex. 235 1/28/05	4/28/2004	DOTINC 4795 - 4798	
PTX 249	Portion of SKy Bone Expander System Training Manual	Kazaz Ex. 236 1/28/05	11/00/04	DOTINC 9430 -9588	
PTX 250	Screen shots from CD – photos of DOT booth	Kazaz Ex. 237 1/28/05		DOTINC 50012	
PTX 251	Abstracts	Kazaz Ex. 238 1/28/05		DOTINC 50012	
PTX 252	Sky presentation	Kazaz Ex. 239 1/28/05		DOTINC 50012	
PTX 253	SBE System training items	Kazaz Ex. 240 1/28/05		DOTINC 50012	
PTX 254	Patient Brochure in Spanish	Kazaz Ex. 241 1/28/05		DOTINC 50059 - 50062	
PTX 255	DOTINC financial statements for 2004	Kazaz Ex. 242 1/28/05	12/31/2004	DOTINC 50090 - 50095	

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PTX 256	Osteoporosis and the spinal surgeon – Paul Holman	Kazaz Ex. 243 1/28/05	2/9/2004	DOTINC 50096 - 50198	
PTX 257	Notice of Deposition	Reilly, Tom Ex. 244 2/4/05	1/7/2005		D, R
PTX 258	Disc Orthopaedic Technologies – Sky Bone expander: Kyphoplasty	Reilly, Tom Ex. 245 2/4/05		TR 1	
PTX 259	Sky Bone Expander 2005 Plan of Attack	Reilly, Tom Ex. 246 2/4/05		TR 4-TR 16	
PTX 260	Preference Card. Sky Bone Expander Kyphoplasty (redacted)	Reilly, Tom Ex. 247 2/4/05		TR 3	
PTX 261	Current Business charts (redacted)	Reilly, Tom Ex. 248 2/4/05		TR 74-TR 75	
PTX 262	The Sky Bone Expander System for Void Creation and Vertebral Height Restoration	Reilly, Tom Ex. 249 2/4/05		TR 80-TR 90	
PTX 263	Letter to Rudy, Pete and Mark re The Down and Dirty on the Sky Bone Expander	Reilly, Tom Ex. 250 2/4/05		TR 94	
PTX 264	The Down and Dirty on the Sky Bone Expander	Reilly, Tom Ex. 251 2/4/05		TR 107	
PTX 265	Sky Sales Pitch	Reilly, Tom Ex. 252 2/4/05		TR 138-TR 139	
PTX 266	Letter to Sharon Forsythe from Tom Reiley	Reilly, Tom Ex. 253 2/4/05	8/9/2004	TR 95	
PTX 267	New Business, Marketing & Relations Manager	Reilly, Tom Ex. 254 2/4/05		TR 96-TR 99	
PTX 268	Plan for Sky Launch	Reilly, Tom Ex. 255 2/4/05		TR 104	
PTX 269	Letter from Tom Reilly re New Kyphoplasty Device – Sky Bone Expander (form letter, Dear Doctor)	Reilly, Tom Ex. 256 2/4/05		TR 112	
PTX 270	Letter/Note from Tom Reiley (redacted)	Reilly, Tom Ex. 257 2/4/05		TR 117	
PTX 271	Multi-Purpose Cannula Blocker ("Blocker")	Reilly, Tom Ex. 258 2/4/05		TR 2	
PTX 272	Letter to Mr. Salinas from Tom Reiley	Reilly, Tom Ex. 259 2/4/05	1/14/2005	TR 124	
PTX 273	Sky Bone News	Reilly, Tom Ex. 260 2/4/05		TR 153	
PTX 274	Sky Bone Expander Script for Void Creation and Vertebral Height Restoration	Reilly, Tom Ex. 261 2/4/05		TR 121	
PTX 275	The Sky Bone Expander System	Reilly, Tom Ex. 262 2/4/05		TR 173-TR 196	
PTX 276	Draft – Surgical Technique US Versition. The Sky Bone Expander System	Reilly, Tom Ex. 263 2/4/05		TR 197-TR 208	
PTX 277	Screen shots	Reilly, Tom Ex. 264 2/4/05		TR 212-TR 225	

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PTX 278	Presented by: Orthopaedics Sales & Services	Reilly, Tom Ex. 265 2/4/05	11/13/2004	TR 228	
PTX 279	Cadaver Training Lab: Sky Bone Expander	Reilly, Tom Ex. 266 2/4/05		TR 229	
PTX 280	Abstract, Sky Bone Expander Case Report: Kyphoplasty by M. Hopp, MD, J. Bleeck; R. Elle hospital, Eisenberg, Germany	Reilly, Tom Ex. 267 2/4/05		TR 237-TR 244	
PTX 281	Disc-O-Tech Medical Technologies Ltd. Sky Bone Expander Surgical Technique Tutorial	Reilly, Tom Ex. 268 2/4/05		TR 245-TR 277	
PTX 282	Sky Bone Expander System Price List	Reilly, Tom Ex. 269 2/4/05	8/00/04	TR 134-TR 136	
PTX 283	Letter to Ronny Barak from Tom Reilly	Reilly, Tom Ex. 270 2/4/05	10/4/2004	TR 115	
PTX 284	The Sky Cement Delivery System: Instructions for Use	Reilly, Tom Ex. 271 2/4/05		TR 140-TR 142	
PTX 285	ID Words - cheat sheet for using Sky	Reilly, Tom Ex. 272 2/4/05		TR 143	
PTX 286	Case Date and Surgeon report	Reilly, Tom Ex. 273 2/4/05		TR 64	
PTX 287	Horowitz, Fichtel, Kuwamara, Geiger, Atking, Auber, Parra, Aranabar, & Fulp	Reilly, Tom Ex. 274 2/4/05		TR 72	
PTX 288	Sky Bone Expander – Kyphoplasty Surgery Schedule Confirmation	Reilly, Tom Ex. 275 2/4/05		TR 152	
PTX 289	Sky Bone Expander System Initial Clinical Results	Reilly, Tom Ex. 276 2/4/05		TR 154-TR 196	
PTX 290	Sky Bone Expander System – FAQ	Reilly, Tom Ex. 277 2/4/05	01/00/2004	TR 209-TR 211	
PTX 291	A Novel Technique for Percutaneous Local Anesthesia Reconstruction of Vertebral Fractures Using the Sky Bone Expander: A Preliminary Report on the Firms 20 Cases	Reilly, Tom Ex. 278 2/4/05		TR 233	
PTX 292	Email to Tamir from Barak re marketing materials	Barak Ex. 279 2/14/05	4/30/2004	DOTINC 6856	
PTX 293	Email to Barak from Kazaz re Training CD	Barak Ex. 280 2/14/05	5/10/2004	DOTINC 5421	
PTX 294	Check list of equipment and material for Beyar US tour	Barak Ex. 281 2/14/05		DOTLTD 14729-30	
PTX 295	Letter to Kenneth D. Palmer from Katherine Morales	Barak Ex. 282 2/14/05	4/14/2004	DOTINC 4689	
PTX 296	Letter to Robert Falk from Kazaz	Barak Ex. 283 2/14/05	5/19/2004	DOTINC 4674	

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PTX 297	Email to Or from Kathy Morales re AANS Package being sent to your hotel	Barak Ex. 284 2/14/05	4/28/2004	DOTINC 3452	
PTX 298	Abstracts, American Society of Spine Radiology - 11 Page Document Case Studies	Barak Ex. 285 2/14/05			
PTX 299	Letter to Mohammad E. Majd from Tamir Kazaz	Barak Ex. 286 2/14/05	5/24/2004	DOTINC 675-712	
PTX 300	Fax to Tamir Kazaz from Ronny re Kyphon new sizes, shapes and access systems	Barak Ex. 287 2/14/05	2/24/2004	DOTINC 2489-2494	
PTX 301	A Study Protocol for Comparing the Sky Bone Expander System with Kyphon Bone	Barak Ex. 288 2/14/05	1/00/04	DOTINC 5218-5227	
PTX 302	Sky Bone Expander System v2.0	Barak Ex. 289 2/14/05	215/03	DOTINC 5270-5271	
PTX 303	Email to Ronny Barak from Kim Welch re Craig Welch and our discussion last week of representing Disc-o-tech	Barak Ex. 290 2/14/05	6/9/2004	DOTINC 7691-93	
PTX 304	Email to Tamir Kazaz and Ronny Barak from David Elkayam re Sky – Packaging	Barak Ex. 291 2/14/05	2/20/2004	DOTINC 6113	
PTX 305	Product Delivered Goods Forms	Barak Ex. 292 2/14/05	5/18/2004	DOTINC 2925-27	
PTX 306	Email to Kathy Morales from Ronny Barak re Sky Expander Spine: Questions-first pass	Barak Ex. 293 2/14/05	5/12/2004	DOTINC 8607-08	
PTX 307	Email to Tamir Kazaz from Ronny Barak re WI Contract	Barak Ex. 294 2/14/05	5/25/2004	DOTINC 7225	
PTX 308	Email to Jeff Lubin from Ronny Barak re Setting the training program and agendas	Barak Ex. 295 2/14/05	4/23/2004	DOTINC 6685-6773	
PTX 309	Email to Tamir Kazaz from Ronny Barak re Product Manual-Sky	Barak Ex. 296 2/14/05	6/1/2004	DOTINC 7304-7323	
PTX 310	Sky Bone Expander System Training Manual	Barak Ex. 297 2/14/05	11/00/2004	DOTINC 50205-50300	
PTX 311	Email to Ronny Barak from Tamir Kazaz re Surgical Tips	Barak Ex. 298 2/14/05	4/24/2004	DOTINC 8407-08	
PTX 312	Email to Tamir Kazaz from Ronny Barak re Surgical and Guidelines	Barak Ex. 299 2/14/05	4/21/2004	DOTINC 8392-93	
PTX 313	Deposition notice of John Steck	Steck Ex. 300 1/26/05	1/24/2005		D, R

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PTX 314	CV of Steck	Steck Ex. 301 1/26/05			
PTX 315	Draft Sales Agent Agreement	Saunders Ex. 302 1/28/05		DOTINC 597-612	
PTX 316	vertebral body compression fracture treatment options .ppt	Saunders Ex. 304 1/28/05		DOTINC 4088-4111	
PTX 317	Scheduled SKy cases	Saunders Ex. 305 1/28/05		DOTINC 4779	
PTX 318	Letter from Kazaz to Saunders re signature page of Sales Agent Agreement	Saunders Ex. 306 1/28/05	4/29/2004	DOTINC 595	
PTX 319	Saunders' letter of resignation to Kyphon with cover fax from Spine Synergy	Saunders Ex. 307 1/28/05	5/11/2004	DOTINC 613-614	
PTX 320	Letter from Shaw to Saunders re Proprietary Information Agreement	Saunders Ex. 308 1/28/05	5/21/2004	DOTINC 1024-1025	
PTX 321	E-mail from Morales to Saunders attaching SKy case studies and price lists	Saunders Ex. 309 1/28/05	5/20/2004	DOTINC 3827-3832	
PTX 322	E-mail from Saunders to Barak reporting on Dr. Mitchell's impressions of SKy device	Saunders Ex. 310 1/28/05	6/1/2004	DOTINC 5528	
PTX 323	E-mail between Saunders/Barak/Dr. Mitchell regarding development of further SKy devices	Saunders Ex. 311 1/28/05	5/25/2004	DOTINC 7224	
PTX 324	Letter from DOT to Saunders requesting return of inventory	Saunders Ex. 312 1/28/05	6/29/2004	DOT INC 8814-8815	
PTX 325	Letter from Spine Synergy to DOT saying all inventory has been returned	Saunders Ex. 313 1/28/05	6/30/2004	DOTINC 9255	
PTX 326	Collection of invoices/Product Delivered Goods Forms to Mary Black Hospital	Saunders Ex. 314 1/28/05	Misc.	DOTINC 317-330	
PTX 327	Letter from Kazaz to Saunders regarding Kyphon/DOT litigation	Saunders Ex. 315 1/28/05	6/14/2004	DOTINC 5804-5806	
PTX 328	Letter from Kazaz to Dr. Mitchell regarding 30K grant to research SKy Bone Expander	Saunders Ex. 316 1/28/05	6/30/2004	DOTINC 8834	
PTX 329	Disc-O-Tech sales report dated 1/1/2004 through December 12/31/2004	Saunders Ex. 317 1/28/05	1/6/2005	DOTINC 9593-9639	

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PTX 330	Document of sales figures prepared for settlement talks in Kyphon/Saunders matter	Saunders Ex. 318 1/28/05		CS 1 - 6	R
PTX 331	North Carolina Secretary of State document regarding Spine Synergy	Saunders Ex. 319 1/28/05	1/26/2005		
PTX 332	2nd Amended Notice of Deposition of Charles S. Foster and Request for Production of Documents	Foster Ex. 320 1/31/05			D, R
PTX 333	2nd Amended Notice of Deposition of Charles S. Foster and Request for Production of Documents	Foster Ex. 321 1/31/05			D, R
PTX 334	Letter from Tony Recupero to Foster	Foster Ex. 322 1/31/05	1/29/2001		R
PTX 335	Proprietary information agreement Foster was requested to sign	Foster Ex. 323 1/31/05	1/30/2001	CF10-18	R
PTX 336	Kyphon employee handbook	Foster Ex. 324 1/31/05	8/27/2002		R
PTX 337	Kyphon employment application as completed by Foster	Foster Ex. 325 1/31/05	02/00/2001		R
PTX 338	Foster letter of resignation from Kyphon	Foster Ex. 326 1/31/05	5/10/2004		R
PTX 339	Sales termination check out list	Foster Ex. 327 1/31/05	5/14/2004		R
PTX 340	Termination certification	Foster Ex. 328 1/31/05	5/14/2004		R
PTX 341	Notice to employee as to change in relationship	Foster Ex. 329 1/31/05	5/14/2004		R
PTX 342	Letter from DOT to Foster re Sales Agent Agreement	Foster Ex. 330 1/31/05	5/11/2004	DOT INC 514	
PTX 343	Letter from DOT re Foster will be receiving a package containing one consignment set of SKy Bone Expander System	Foster Ex. 331 1/31/05	5/14/2004	DOTINC 509-511	
PTX 344	Sales agent agreement drafts sent by Kazaz to Foster	Foster Ex. 332 1/31/05	5/10/2004	CF 29-44	
PTX 345	Letter from David Shaw to Foster	Foster Ex. 333 1/31/05	5/31/2004	DOTINC 1027-1029	R
PTX 346	E-mail from Foster to Barak	Foster Ex. 334 1/31/05	6/4/2004	DOTINC 7914	
PTX 347	E-mail between Foster and RB	Foster Ex. 335 1/31/05	6/2/2004	DOTINC 8698	