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UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

Peter T. Dalleo
CLERK

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844 KING STREET
U.S. COURTHOUSE
WILMINGTON, DELAWARE 19801
(302) 573-6170

August 12, 2005

Thomas Lee Halkowski, Esquire
Fish & Richardson, P.C.
919 N. Market Street, Suite 1100
P.O. Box 1114
Wilmington, DE 19899-1114

Maryellen Noreika, Esquire
Morris, Nichols, Arscht & Tunnell
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899

RE: Kyphon, Inc. v. Disc-O-Tech Medical Technologies, Ltd, et al.
Civil Action No. 04-204 JJF

Dear Counsel:

The Clerks Office is returning and/ or disposing of exhibits located in its storage are, in accordance with the Court's Local Rule 79.1(b)(2). We presently possess trial exhibits for the above referenced case. As this case is closed, we would like to remove these exhibits from our storage area.

Please advise me no later than August 26, 2005 whether you wish to retrieve the exhibits or have them discarded. I the latter, I will need written consent. Retrieval of the exhibits may be arranged by contacting me at 573-6137.

Very truly yours,
Peter T. Dalleo, Clerk

Anita Bolton
Courtroom Deputy

Pltf. _____ date _____

Deft. John Ryan P. Lochary date 8/17/2005