TAB C

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January 21, 2005

VIA E-MAIL

Claire Laporte, Esq.
Foley Hoag LLP
155 Seaport Blvd.
Boston, MA 02210-2600

Re: Biogen Idec Inc., et al. v. Columbia University

Dear Claire:

I am writing in response to your letter of today's date. I do not understand your professed confusion regarding Columbia's Request for Judicial Notice. As I told you when we spoke on the telephone yesterday, Columbia is not asking the Court to accept as true the statements or opinions set forth in the documents. Columbia is only asking the Court to take judicial notice of the existence and content of each document (i.e., that the document exists and contains certain statements or opinions made by a particular party or person). Nor do I understand your suggestion that we withdraw and then re-file the Request for Judicial Notice "in a more particularized form." I believe that I have answered your only questions. It hardly seems necessary to re-file the Request for Judicial Notice simply to reiterate those answers within that document.

Very truly yours,

David I. Gindler

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