UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BIOGEN IDEC INC., BIOGEN IDEC MA, INC. and GENZYME CORPORATION, Plaintiffs, v. THE TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK, Defendant.	CIVIL ACTION No. 04-CV-12009-MLW

MOTION FOR LEAVE TO FILE A SURREPLY IN OPPOSITION TO COLUMBIA'S PARTIAL MOTION TO DISMISS

Pursuant to Local Rule 7.1(B)(3), Plaintiff's Biogen Idec Inc., Biogen Idec MA, Inc., and Genzyme Corporation (together, "plaintiffs") hereby request leave of the Court to file the Surreply in Opposition to Columbia's Partial Motion to Dismiss, filed herewith. As grounds for this Motion, plaintiffs state that the Surreply is necessary to respond to the reply memorandum submitted by defendant Trustees of Columbia University in the City of New York ("Columbia"), which spans 32 pages and cites no fewer than 33 new cases. Plaintiffs believe that consideration of their Surreply will be helpful to the Court in resolving the pending Motion to Dismiss.

Dated: March 15, 2005

Respectfully submitted,

/s/ Donald R. Ware
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CERTIFICATION OF COUNSEL

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies certifies that counsel for plaintiffs contacted counsel for Columbia to confer regarding this Motion. Counsel for Columbia responded that Columbia would not decide whether to grant assent unless plaintiffs' counsel set forth in detail the contents of the proposed surreply. In an attempt to resolve or narrow the issues, plaintiffs' counsel forwarded the proposed surreply in its entirety for opposing counsel's review. Several hours later, counsel for Columbia responded that, after reviewing the proposed surreply, Columbia would not assent to this motion for leave.

s/ Sarah Cooleybeck
Sarah Cooleybeck