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August 31, 2009

The Honorable Edward M. Chen  
United States District Court, Northern District of California  
450 Golden Gate Ave  
San Francisco, CA 94102

Re: Request for Telephonic Appearance at Hearing  
County of Santa Clara v. Astra USA, Inc.,  
No. 05-CV-03740-WHA (EMC) (N.D. Cal.)

Dear Judge Chen:

I am counsel for defendant SmithKline Beecham Corporation d/b/a GlaxoSmithKline ("GSK") in *Santa Clara v. Astra* and am writing on behalf of GSK and other similarly situated defendants. This Court is currently scheduled to hear argument on September 2, 2009 on several motions to compel filed by defendants Bayer, Pfizer, and Schering-Plough.

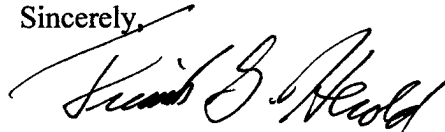
Attorneys for GSK and defendants other than Bayer, Pfizer, and Schering-Plough will not be arguing these motions. GSK therefore respectfully requests that GSK and the other non-arguing defendants be permitted to appear telephonically at the hearing.

If the Court grants this request, the Court and all parties who plan to appear telephonically can use the following telephone number and password to participate telephonically:

Telephone: 1 866 214 4423  
Password: 8236320 and then enter #

Please find a proposed order enclosed for your consideration.

Sincerely,



Frederick G. Herold, Esq.

cc: All counsel of record  
Enclosure

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6 Attorneys for Defendant  
SMITHKLINE BEECHAM CORPORATION,  
7 D/B/A GLAXOSMITHKLINE

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

12 THE COUNTY OF SANTA CLARA, On  
13 Behalf of Itself and All Others Similarly  
Situated,

14 Plaintiff,

15 v.

16 ASTRA USA, INC., et al.,

17 Defendants.  
18

Case No. 05-CV-03740 WHA (EMC)

**[PROPOSED] ORDER PERMITTING  
SMITHKLINE BEECHAM D/B/A  
GLAXOSMITHKLINE AND OTHER  
DEFENDANTS TO ATTEND HEARING BY  
TELEPHONE**

19 Upon the request of Defendant SmithKline Beecham Corporation d/b/a  
20 GlaxoSmithKline ("GSK"), and good cause appearing,

21 **IT IS HEREBY ORDERED** that GSK and other non-arguing Defendants' requests  
22 to participate by telephone in the September 2, 2009 hearing on the Motions to Compel is  
23 granted.

24 **IT IS SO ORDERED.**

25 Dated: 9/1/09

26 The Honorable  
27 United States

