

Exhibit C

From: Fishman, Deborah
Sent: Friday, August 10, 2007 1:27 PM
To: TFleming@kayescholer.com
Cc: Platt, Rachelle L.; Day, Rusty; Loeb, Jonathan; DuBord Brown, Renee
Subject: Stipulation to reduce number of live fact witnesses

Dear Tom,

To streamline the presentation of evidence at trial and obviate the need for certain of these declarants as fact witnesses, will you please stipulate to the admissibility of the following:

Exhibit L to the 5/11/07 Catlin Report, Exhibit D (Declaration of Brian Rauch), Exhibit E (Declaration of Mark Byers), Exhibit F (Declaration of Sungae Park) as well as paragraphs 51-61 of the 5/11/07 Catlin report to lay a foundation and chain of custody for Exhibit L; and

Exhibit E to the 6/20/07 Second Supplement Expert Report of Ajit Varki, and Exhibits C (Declaration of Kenneth Aoki) and Exhibit D (Declaration of Jiang Liu) to the 6/20/07 Second Supplement Expert Report of Ajit Varki to lay a foundation for Exhibit E.

I am available to discuss this proposal at your earliest convenience.

Thank you,

Deborah

Deborah Fishman
Day Casebeer Madrid Batchelder, LLP
fishmand@daycasebeer.com