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August 29, 2008

VIA ECF ONLY

Honorable Joseph A. Greenaway, Jr., U.S.D.J.
United States District Judge
Federal Building and United States Courthouse
50 Walnut Street
Newark, N.J. 07101

In Re: K-Dur Antitrust Litigation
Case No.: 01-1652 (JAG)
MDL No.: 1419
Our File: 35,109

Dear Judge Greenaway:

I write on behalf of the Direct Purchaser Plaintiff Class requesting leave of court to file an over-length reply brief on our pending objections to Special Master Orlofsky's Amended Report and Recommendations as to Defendants' Motions for Summary Judgment as to the Upsher and ESI Settlement and Direct Purchaser Plaintiffs' Partial Motions for Summary Judgment as to the Applicable Framework for Analysis of Exclusion Payments and the Exclusionary Scope of the '734 Patent, which reply is due on June 17, 2009. As Your Honor may recall, defendants were granted leave, with our consent, to file a 65 page opposition. We seek permission to file a 30 page reply in Times New Roman 12.

I am authorized to represent to Your Honor that defendants do not object to this request.

Respectfully yours,


Peter S. Pearlman

PSP:glv
Enclosure

cc: All counsel listed on the attached
Service List (via e-mail only)

STANDARD


JOSEPH A. GREENAWAY, JR.

U.S.D.J.

6-11-09