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May 10, 2017

Via Electronic Filing

The Honorable Richard G. Andrews
U.S. District Court for the District of Delaware
J. Caleb Boggs Federal Building
Wilmington, Delaware 19801

Re: *Hospira Inc. v. Amneal Pharmaceuticals LLC, C.A. No 15-697-RGA*

Dear Judge Andrews:

We represent Hospira Inc. (“Hospira”) in the above captioned matter. We write in response to the letter Amneal Pharmaceuticals LLC (“Amneal”) filed earlier this afternoon regarding trial scheduling. Regardless of the allegations in Amneal’s letter, which we dispute, the reality is that the parties attempted in good faith to find a mutually agreeable timeframe to suggest to the Court for trial in July or August, but failed. Hospira remains available to hold trial during the August 7-17 timeframe suggested to Amneal yesterday.

Further, while we prefer not to take issue with the details surrounding counsels’ attempts to reschedule trial, certain statements in Amneal’s letter require clarification:

- This past weekend after the Court informed the parties on Friday afternoon that trial would need to be rescheduled, the parties discussed whether May 31 to June 1 was a viable option. While Hospira would have preferred to reschedule trial for May, we understood that conflicts for both parties precluded trial in that timeframe.
- Hospira reached out Amneal yesterday to discuss specific trial dates to suggest to the Court. Hospira provided twelve dates it “believe[d]” it could offer at that time, with the July 27-28, 31 dates being least preferable. Amneal did not and has not provided dates for consideration to Hospira.
- Until its letter submission to the Court, Amneal never communicated that it was indeed available for trial beginning July 27, 2017. Amneal did not even indicate its availability for trial during that timeframe yesterday after Hospira communicated its unavailability.

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- Hospira called Amneal's counsel this morning to further discuss scheduling issues. Hospira did not indicate instruction from its client to simply "block out" July. Hospira has actual scheduling issues with the July 27 date, including in-house client, expert witness, and may-call fact witness availability.
- Hospira only suggested to Amneal that it would seek availability from its witnesses in September to be proactive, in case the Court asked the parties to look into that month for availability.

We remain available at the convenience of the Court.

Respectfully submitted,

/s/ Ryan P. Newell

Ryan P. Newell (#4744)

cc: All counsel of record