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May 21, 2010

VIA ECF and FEDEX

Hon. Madeline C. Arleo, U.S.M.J.
United States District Court
Martin Luther King, Jr. Federal Building
50 Walnut Street
Newark, New Jersey 07101

Re: *Celgene Corporation, et al. v. Barr Labs., Inc.*
Civil Action No. 07-286 (SDW)(MCA)

Dear Judge Arleo:

This firm, together with Jones Day, Kaye Scholer, and Wilmer Cutler Pickering Hale and Dorr, represents Plaintiffs Celgene Corporation ("Celgene") and Children's Medical Center Corporation ("CMCC") (collectively, "Plaintiffs") in the above-referenced matter.

We write to inform the Court that Plaintiffs and Defendant Barr Laboratories, Inc. have reached agreement on a stipulation dismissing all pending claims and defenses in this action. The final, signed copy of that stipulation is attached. If this stipulation meets with Your Honor's approval, we respectfully request that you or Judge Wigenton endorse it and enter it on the docket.

We thank the Court for its kind attention to this matter.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Charles M. Lizza", written over a large, stylized circular flourish.

Charles M. Lizza

Encl.

cc: All Counsel (via e-mail)
Daniel Cohen, Esq. (via e-mail)

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*Attorneys for Plaintiffs
Celgene Corporation and
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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CELGENE CORPORATION,	:	
	:	Honorable Susan D. Wigenton, U.S.D.J.
Plaintiff,	:	
	:	Civil Action No. 07-286 (SDW)(MCA)
v.	:	
	:	
BARR LABORATORIES, INC.,	:	
	:	
Defendant.	:	
<hr/>		X
CELGENE CORPORATION and CHILDREN'S	:	
MEDICAL CENTER CORPORATION,	:	Honorable Susan D. Wigenton, U.S.D.J.
	:	
Plaintiff,	:	Civil Action No. 08-3357 (SDW)(MCA)
	:	
v.	:	STIPULATION OF DISMISSAL
	:	PURSUANT TO FED. R. CIV. P.
BARR LABORATORIES, INC.,	:	41(a)(1)(A)(ii)
	:	
Defendant.	:	
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Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiffs Celgene Corporation and Children's Medical Center Corporation (collectively, "Plaintiffs") and Defendant Barr Laboratories, Inc. ("Barr"), by and through their respective counsel, hereby

stipulate and agree that all claims and counterclaims asserted by Plaintiffs against Barr in this Civil Action No. 07-286, as well as Civil Action Nos. 07-4050, 07-5458 and 08-3357 consolidated therewith, are dismissed without prejudice.

Plaintiffs and Barr further stipulate and agree that Barr's claims under the antitrust laws of the United States and Barr's claims under New Jersey law, namely Counts XX, XXI, and XXII of Barr's counterclaims in this Civil Action No. 07-286, are dismissed with prejudice.

Plaintiffs and Barr further stipulate and agree that all remaining claims and counterclaims asserted by Barr against Plaintiffs in this Civil Action No. 07-286, as well as in Civil Action Nos. 07-4050, 07-5458 and 08-3357 consolidated therewith, are dismissed without prejudice.

Plaintiffs and Barr further stipulate and agree that each party is to bear all of its own costs, expenses and fees.

Dated: May 21, 2010

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By: 

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Dated: May 21, 2010

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SO ORDERED on this ____ day of _____, 2010.
