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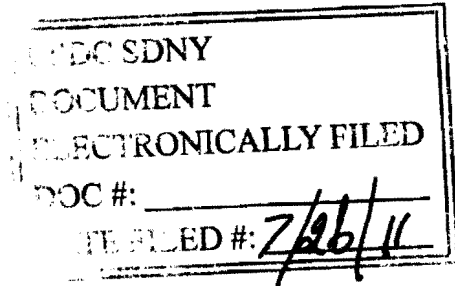
MEMO ENDORSED

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July 20, 2011

**VIA FEDERAL EXPRESS**

The Honorable Lewis A. Kaplan  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312



**Re: *Pfizer Inc. et al v. Apotex Inc. et al.*, Case No. 10-cv-05272 (LAK)**

Dear Judge Kaplan:

We, along with counsel at Williams & Connolly LLP, represent Pfizer in the above-captioned matter. We write on behalf of the parties to apprise the Court that all parties are in agreement to settle the action. The parties have signed a term sheet and are close to a final settlement agreement. On that basis, we respectfully request an adjournment of the upcoming discovery deadlines set forth in the Court's Scheduling Order. (D.I. 25). This is the parties' first request for an extension or stay of the discovery deadlines.

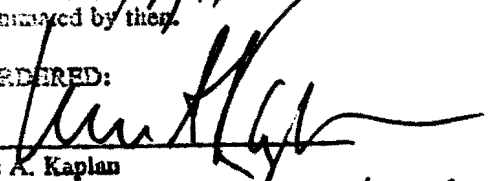
The parties respectfully request that the action be stayed and all discovery deadlines be adjourned for approximately 45 days to allow the settlement agreement to be finalized and the action dismissed. The current fact discovery deadline is August 12, 2011. In the event the parties are unable to come to a final settlement, the parties agree to meet and confer in an effort to devise a new discovery schedule that will not delay the ultimate resolution of the action.

We note that the related case, *Pfizer Inc. et al. v. Teva Pharmaceuticals USA Inc.*, Case No. 10-cv-05794-LAK, has been settled and dismissed by stipulation and we are hopeful the same result will be achieved by the parties here to avoid the need for further judicial involvement.

A stipulation and proposed order is enclosed. We thank the Court for its consideration of this matter.

Case dismissed with prejudice and without costs subject to right to reinstate by serving and filing a notice to that effect, on or before, 8/7/11, if the settlement is not consummated by then.

SO ORDERED:

  
\_\_\_\_\_  
Lewis A. Kaplan  
U.S.D.J.

7/26/11

Honorable Lewis A. Kaplan  
July 20, 2011  
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Respectfully submitted,

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