

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

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: IN RE: ZYPREXA LITIGATION : Docket No. 07-1107-cv
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NOTICE OF REACTIVATION OF APPEAL

The undersigned counsel hereby gives notice that the appeal of Respondent-Appellant James B. Gottstein (Docket No. 07-1107-cv), previously withdrawn from active consideration before the Court, is hereby being reactivated. Mr. Gottstein remains willing to engage in settlement discussions with Petitioner-Appellee Eli Lilly & Company.

Dated at Anchorage, Alaska this 5th day of February, 2009.

Counsel for Appellant James B. Gottstein

/s/ D. John McKay

D. John McKay
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Certificate of Service

The undersigned hereby certifies that a .pdf copy of the foregoing was served this 5th day of February electronically upon counsel for Appellee Eli Lilly & Company, Sean P. Fahey, Pepper Hamilton, LLP, at faheys@pepperlaw.com and upon co-counsel for Mr. Gottstein, Steven Brock, at s.brock@bhpp.com. Pursuant to rule 25(a)(6), undersigned counsel certifies the attached .pdf document has been scanned for viruses and no virus has been detected.
