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January 13, 2007

By E-mail

Peter Woodin, Special Master  
JAMS  
280 Park Ave., 28<sup>th</sup> Floor  
New York, New York 10017

Re: Zyprexa Prooducts Liability Litigation, MDL 1596 (“Federal Litigation”)  
Supplemental Response of James Gottstein

Dear Mr. Woodin,

The following is an update and supplement to James Gottstein’s December 21, 2006, Compliance Certification (“Compliance Certification”). Mr. Gottstein has cut short his vacation with his family and has now returned to help ensure that these matters are addressed before further proceedings scheduled in this matter.

1. Mr. Gottstein’s office received, in his absence, the DVD he had sent in December to Mr. Will Hall, returned to him by Mr. Hall pursuant to the court’s order. This DVD is being delivered to you.

2. On December 26, 2006, I sent a transmittal letter to you, accompanying the DVD provided to you with the items burned from Mr. Gottstein’s computer before they were erased, as described in ¶2, p. 2 of the Compliance Certification. It is not clear that a copy of this transmittal letter was copied to counsel. In case it was not, I am attaching a .pdf copy with the e-mail transmission of this letter to you.

3. As noted in our earlier filings, Mr. Gottstein made his best, good faith efforts to fully comply with the court’s order, notwithstanding that he was in the middle of religious holidays and preparing to leave with his family on vacation, with an extended absence from his office. Since taking the steps described in the Compliance Certification, Mr. Gottstein has discovered one

additional document from Dr. Egilman that should have been erased from his computer, and would have been erased with the rest in accordance with the procedure set forth in ¶2, p.2 had it been noticed at the time. The reason it was overlooked had to do with the fact that it was in an isolated e-mail as an attachment. Mr. Gottstein wishes to emphasize that this document was never distributed by him to anyone else, at all, in any medium. This document may or may not be among those already burned to DVDs and delivered to you. Erring on the side of caution, though, instead of simply deleting it, Mr. Gottstein has preserved this long enough that it could be burned to another DVD. Now that he is back and has been able to do this, he has deleted this final “Egilman Document” from his computer. The DVD containing this one document will be delivered to you.

Sincerely,

/s/djmckay/

D. John McKay  
Attorney for James Gottstein

cc: Sean Fahey (via e-mail)  
Evan Janush (via e-mail)  
James Gottstein (via e-mail)