

PsychRights[®]
Law Project for
Psychiatric Rights, Inc.

Brewster H. Jamieson
Lane Powell
301 W. Northern Lights Blvd., Suite 301
Anchorage, Alaska 99503-2648

December 15, 2006

Re: In the Matter of the Guardianship of B.B.

Dear Mr. Jamieson:

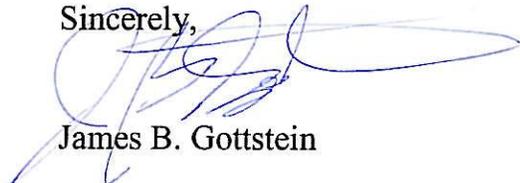
Your fax yesterday regarding the above was received in my office after I had left for the day. I note it refers to an enclosed letter from Dr. Egilman, but said letter was not included in the fax. Presumably, it is included in the mailed hard copy.

In any event, I should probably first inform you it is not precisely accurate to characterize the agreement we were working on with the State as extending the production date. Certain material has already been produced. Also, due to Eli Lilly's emergence, whether the agreement to postpone the depositions will end up being signed by PsychRights is up in the air at this point.

I am skeptical of your assertion that Eli Lilly has standing to invoke Civil Rule 45(d)(1). I have never seen Case Management Order No. 3, *In re: Zyprexa Products Liability Litigation*, MDL No. 1596 (Protective Order). However, in an abundance of caution, I am temporarily acting as if Civil Rule 45(d)(1) has been properly invoked. You must, however, immediately provide me with compelling authority for your assertion that Civil Rule 45(d)(1) has been properly invoked. If convincing, I will consider that Civil Rule 45(d)(1) has been properly invoked and act accordingly. Otherwise, I assume you will take whatever steps you deem necessary to protect your client's interests.

Finally, you assert that the materials subject to the Protective Order contain trade secrets and other confidential research, development and commercial information. I haven't had a chance to review the material in any detail, but I haven't seen anything that I don't think is discoverable and it is hard for me to see how at least some of it is confidential in any way.

Sincerely,



James B. Gottstein

cc: via e-mail

David Egilman, MD, MPH
Elizabeth Russo, Esq.
James Parker, Esq.