

In the Supreme Court of the State of Alaska

Eli Lilly and Company,

Appellant,

v.

Bloomberg News and State of Alaska,

Appellees.

Supreme Court No. S-13152

Order

Remand to Superior Court

Date of Order: 7/8/08

Trial Court Case # 3AN-06-05630CI

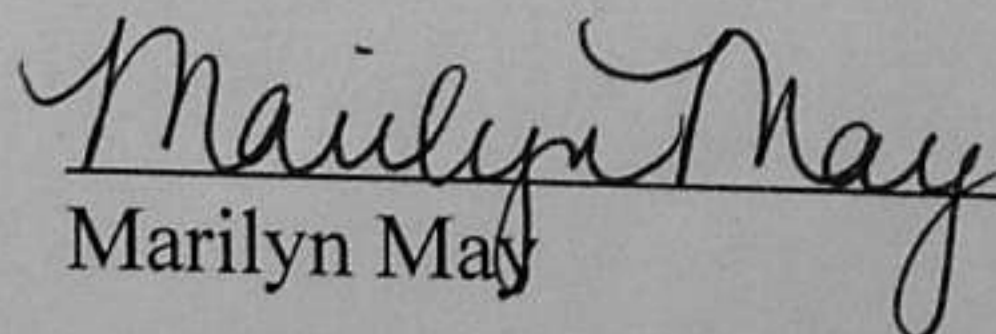
Before: Fabe, Chief Justice, and Matthews, Eastaugh, and Carpeneti,
Justices [Winfree, Justice, not participating]

Upon consideration of Eli Lilly and Company's 6/18/08 Emergency Motion for Stay and for Order Prohibiting Publication or Dissemination of Documents Pending Appeal, Bloomberg News's 6/23/08 Opposition, and Eli Lilly and Company's 6/25/08 Reply, **IT IS ORDERED:**

1. This matter is remanded to the superior court to consider the question whether, under principles of comity, a stay of trial court proceedings should be ordered pending the decisions by the United States District Court for the Eastern District of New York and the United States Court of Appeals for the Second Circuit on the confidentiality issue.
2. The superior court shall forward its findings to this court on or before 7/21/08.
3. The temporary stay ordered on 6/18/08 shall remain in effect pending the disposition of this appeal or until further order of this court.

Entered by direction of the court.

Clerk of the Appellate Courts


Marilyn May