

# Exhibit 1



**U.S. Department of Justice  
United States Attorney  
Eastern District of Virginia**

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*Dennis C. Barghaan, Jr.*  
*Assistant United States Attorney*  
*Justin W. Williams United States Attorney's Building*  
*2100 Jamieson Avenue*  
*Alexandria, Virginia 22314*

*Telephone: (703) 299-3700*  
*Facsimile: (703) 299-3983*

August 11, 2010

**VIA ELECTRONIC MAIL ONLY**

Emily Evans  
Morrison & Foerster  
755 Page Mill Road  
Palo Alto, California 94304

**Re: The Medicines Company v. David Kappos, et al., No. 1:10cv286 (E.D. Va.)**

Dear Ms. Evans:

I write in response to your letter of August 6, 2010, which requests information regarding the above-referenced action.

Decisions regarding whether to notice an appeal in a civil action involving the interests of the United States are committed to the Solicitor General of the United States. As you know, the Federal Rules provide the United States and its agencies with sixty days from the entry of final judgment to notice any appeal. Although I can inform you that the United States is weighing whether to notice an appeal, I cannot estimate when the Solicitor General will render a final decision in that regard.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis C. Barghaan, Jr.", with a stylized flourish at the end.

Dennis C. Barghaan, Jr.  
Assistant United States Attorney