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BY HAND DELIVERY

September 12, 2008

Molly Dwyer, Clerk of the Court
U.S. Court of Appeals for the Ninth Circuit
95 Seventh Street
San Francisco, CA 94103-1518

**Re: In re Gilead Sciences Securities Litigation
Ninth Circuit Case No. 06-16185**

Dear Ms. Dwyer:

We represent Defendants-Appellees Gilead Sciences, Inc. et al. in this case. On September 2, 2008, we filed a Petition For Rehearing En Banc and For Panel Rehearing.

Our petition for rehearing discussed at length the conflict between the panel decision in this case and the recent panel decision in *Metzler Investment GMBH v. Corinthian Colleges, Inc.*, 534 F.3d 1068 (9th Cir. 2008), *amended and superseded* by No. 06-55826, 2008 WL 3905427 (9th Cir. Aug. 26, 2008). We noted that the plaintiffs-appellants in *Corinthian* had requested and received an extension to September 8, 2008 to file a petition for rehearing. This letter is to notify the Court that the petition for rehearing in *Corinthian* has been filed. *Corinthian*, No. 06-55826, Docket No. 50 (Sept. 8, 2008).

We ask that you forward the enclosed copies of this letter to all members of the Court.

Respectfully submitted,

COOLEY GODWARD KRONISH LLP

Lori R.E. Ploeger

LREP:ln

Enclosures

cc: All Counsel

CERTIFICATE OF SERVICE

I am a citizen of the United States and a resident of the State of California. I am employed in San Francisco County, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years, and not a party to the within action. My business address is Cooley Godward Kronish LLP, 101 California Street, 5th Floor, San Francisco, California 94111-5800. On September 12, 2008, I served **LETTER FROM COOLEY GODWARD KRONISH LLP REPRESENTING DEFENDANTS-APPELLEES GILEAD SCIENCES, INC., ET AL. TO COURT DATED SEPTEMBER 12, 2008** via First Class Mail on the following:

Jack G. Fruchter Abraham, Fruchter & Twersky One Penn Plaza, Suite 2805 New York, NY 10119 212/279-5050 212/279-3655 (Fax)	Marc M. Umeda Robbins Umeda & Fink, LLP 610 West Ash Street, Suite 1800 San Diego, CA 92101 619/525-3990 619/525-3991 (Fax)
Michael M. Goldberg Glancy & Binkow LLP 1801 Avenue of the Stars, Suite 311 Los Angeles, CA 90067 310/201-9150 310/201-9160 (Fax)	Laurence D. King Linda M. Fong Kaplan, Fox & Kilsheimer LLP 350 Sansome Street, Suite 400 San Francisco, CA 94104 415/772-4700 415/772-4707(Fax)
Lori S. Brody Kaplan, Fox & Kilsheimer LLP 1801 Century Park East, Suite 1460 Los Angeles, CA 90067 310/439-6006 310/439-6004 (Fax)	James M. Orman Law Offices of James M. Orman 1845 Walnut Street, 14th Floor Philadelphia, PA 19103 215/523-7800 215/523-9290 (Fax)

<p>Lori G. Feldman Milberg LLP One Pennsylvania Plaza New York, NY 10119 212/594-5300 212/868-1229(Fax)</p>	<p>Eric J. Belfi Labaton Sucharow & Rudoff LLP 100 Park Avenue New York, NY 10017 212/907-0878 212/818-0477 (Fax)</p>
<p>Juan Carlos Sanchez Class Action Clearinghouse Stanford Digital Law Project - Securities 559 Abbott Way Stanford, CA 94305 650/725-0479</p>	<p>Robert A. Jigarjian Jigarjian Law Office 128 Tunstead Avenue San Anselmo, CA 94960 415/341-6660</p>
<p>Sanford Svetcov Susan K. Alexander Coughlin Stoia Geller Rudman & Robbins LLP 100 Pine Street, Suite 2600 San Francisco, CA 94111-5238 415/288-4545 415/288-4534 (Fax)</p>	<p>David J. George Robert J. Robbins Coughlin Stoia Geller Rudman & Robbins LLP 120 East Palmetto Park Road, #500 Boca Raton, FL 33432 561/750-3000 561/750-3364(Fax)</p>
<p>Douglas C. McDermott McDermott Newman PLLC 1001 Fourth Avenue Suite 3200 Seattle, WA 98154 206/749-9296 206/749-9467 (Fax)</p>	<p>Samuel Rudman Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road Suite 200 Melville, NY 11747 631/367-7100 631/367-1173 (Fax)</p>

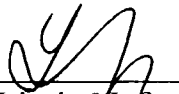
I further certify under Federal Rule of Appellate Procedure 25(B)(ii) that an original and fifty copies of the foregoing **LETTER FROM COOLEY GODWARD KRONISH LLP REPRESENTING DEFENDANTS-APPELLEES GILEAD SCIENCES, INC., ET AL. TO COURT DATED SEPTEMBER 12, 2008** were dispatched on

September 12, 2008 for delivery by Courier Service to the Clerk for the United States Court of Appeals for the Ninth Circuit to the following address:

Molly C. Dwyer
Clerk of the Court
U.S. Court of Appeals for the Ninth Circuit
95 Seventh Street
San Francisco, California 94103.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on September 12, 2008, at San Francisco, California.



Linda Nafey