

**From:** Jay Deshmukh <Jay.Deshmukh@ranbaxy.com>  
**Sent:** Friday, September 12, 2008 6:26 PM  
**To:** Malvinder M Singh <malvinder.singh@ranbaxy.com>  
**Cc:** vinay.kaul <vinay.kaul@ranbaxyholding.com>; 'Sanjeev Puri' <sanjeevpuri@lexpro.co.in>; 'Sunil Godhwani' <sunil.godhwani@religare.in>  
**Subject:** Attorney-client privileged and confidential communication

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Dear Malav:

Having now experienced first hand the new situation for about 2 weeks, I have serious concerns about how the "team" here is functioning and the constitution and staffing of the various sub-teams.

### 1. Giuliani

First off, where is Rudy? He has not participated in any meetings at all of substance - we don't ever get his viewpoint. Why do we really need a conductor such as Michael Hess who is not even a criminal lawyer himself - primarily a civil lawyer? The idea was to get Rudy as the leader not Hess. Hess is too vested in Wiley which is a bad choice to even be on the criminal/DOJ team - they have no lawyer who is working on our case who I would hire for any matter (see below). One point to mention about this from Agnes Varis - she questioned the very idea of having a reviled republican such as rudy as our leader when our primary congressional concern is with a democrat (saw her at Dipak's daughter's wedding).

I suggest that we (sanjeev and I, together - not sanjeev solo) talk to michael on this and request rudy's involvement. If that is not there what are we getting? I also don't agree with Michael Hess sending out emails to very senior lawyers asking them to inform him before making a call etc - its not the way we will get work done. This must be fixed asap.

### 2. DOJ

Not to say I told you so, but Wiley does not now have a single senior pharma experienced criminal person - Krulwich is at best an ordinary FDA person who dabbles in many other matters. I don't believe you will find his name in any criminal matters of import from the past. McBride is a hothead - he talks a good talk at times but is very unpredictable and somewhat of a wildcard. I believe we should vest Venable with the authority and flexibility on the criminal side and they can work with Giuliani so long as Giuliani is there (which he is not at the present time - off giving 250k speeches). Wiley, by the way, does not even have an attorney-client relationship with us - the letter they have written to russ rosen is to ranbaxy pharmaceutical (singular) limited - which is not a relevant entity and that too in care of Russ Rosen - I am extremely concerned that Giuliani Partners work will not be protected. This must be fixed asap! There must be a clear attorney-client relationship between Wiley and Ranbaxy Inc. which is in written form. Also, the letter to this

unknown entity mentions Giuliani Partners in it - does that mean there is no atty-client if GP exits?

The Barbara Kittay story is illustrative - she was to be our primary criminal lawyer at wiley and she has left wiley or is leaving as she feels that they really don't know at all what they are doing in this field - she was clear about that. I was not impressed with her but am even less so with the entire wiley team. Malav, we would be remiss if we did not fix the situation. Again, you should vest us with the power to work with GP (for now) and Venable on this matter. Wiley adds a part which is unnecessary and frankly ineffective at best. They have really misrepresented their strength and so has Hess - we have been led down the garden path. The cost factor is not even mentioned and frankly even with Russ "rip-off" Rosen and GP, it really is wrong to have a whole set of wiley lawyers for no reason.

### **3. Congress**

The congressional possibilities in my mind would have happened in any case - and need to be borne out before we get comforted - also assuming we get to next year, it will get more difficult - we may have just avoided the bullet for now. Here again, Susan is not even a lawyer - she is a very junior person at wiley. This is an area where I would keep wiley though in view of her relationship with Dingell et al. Once document production starts, we will have to rethink this as the inefficiencies are huge to have 2 sets of documents.

### **4. FDA**

Malav, this is another area which needs immediate attention whatever we do as to the mtg (you know my views which are fully in line with vkk's and kate's). Kate believes that having krulwich at the meeting is not a good thing at all - he can be helping in the background but the "optics" in her view with 2 outside lawyers are NOT right and FDA wont like that. Hess has forced Krulwich down our throats and we should not agree as it is counter productive. Wiley was never contemplated for FDA. I am VERY CONCERNED that Kate will leave the team - she has hinted at it.

In summary, get Giuliani involved as much as possible, remove Hess' involvement as the conductor (not needed or appropriate for day to day matters), REMOVE Wiley from DOJ team, keep Wiley as Congressional liaison and as agreed at the outset NOT have Wiley involved with FDA except in background. Let us discuss these matters during the weekend - some of the possible outcomes can be very harmful if we don't act.

Regards,

Jay