

LONDON & MEAD
ATTORNEYS AT LAW

1225 19TH STREET, N.W.
SUITE 320
WASHINGTON, D.C. 20036

TELEPHONE (202) 331-3334
TELEFAX (202) 786-1240

Rec'd 3/14/03

November 8, 2001

Greg Welsh
First Assistant U.S. Attorney
Office of the United States Attorney
District of Maryland
6625 U.S. Courthouse
101 West Lombard St.
Baltimore, MD 21201-2692
(By teletype to 410/962-3091)

Dear Greg:

You have asked that I respond to a letter from Satish Shah's counsel asking the U.S. Attorney's Office to provide a factual statement concerning Mr. Shah's cooperation in the investigation of others. I was counsel for the Government in the trial against Shah. The evidence at trial showed that Shah had written an anonymous letter (with his return address on the envelope) to the FDA and to Congressman Dingell, saying that his former employer, Par Pharmaceutical, Inc. ("Par") had falsified Abbreviated New Drug Applications ("ANDAs"). Par fired Shah for surreptitiously beginning work with a potential competitor on weekends, which led Shah to write his anonymous letters.

There is no doubt that Shah's information precipitated an FDA investigation of Par, and greatly facilitated the discovery of criminal falsifications by Shah and other employees at Par. In particular, Shah's information led to the discovery of a complex falsification of Par's ANDA for triamterene/hydrochlorothiazide. Shah gave an "off the record" proffer to First Assistant U.S. Attorney Gary P. Jordan, with a waiver of ~~Kastigar~~ protection, that helped our office at the outset of its criminal investigation of Par.

However, Shah ruined his value as a witness for the Government by contacting Par's new President, Ken Sawyer, and asking for financial assistance in a manner that led Sawyer and me to suspect that Shah was blackmailing Par. Shah denied that he was promising not to reveal problems with other Par ANDAs in exchange for financial assistance.

Shah did not volunteer information to FDA or our office about all of the ANDAs he helped to falsify. He claimed that his "off the record" proffer had been a promise of non-prosecution. As Mr. Ash's letter indicated, Shah denied criminal intent and was convicted after trial.

93N-0349

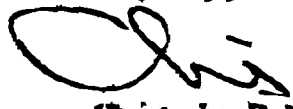
LET 13

LONDON & MEAD
ATTORNEYS AT LAW

Greg Wehah
November 8, 2001
Page 2

I am sympathetic to Shah's desire to support his family, and particularly sympathetic to Shah's attorney, David Ash, who was a zealous trial advocate for Shah, and continues to work on Shah's behalf years later. I can absolutely confirm that Shah's information was vitally important in revealing criminal wrongdoing at Par. I wish that Shah had accepted responsibility and preserved his value as a witness to the Government, so that I could say he had been of more assistance.

Very truly yours,



Christopher B. Mead