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February 9, 2011

**BY E-FILING AND HAND DELIVERY**

The Honorable J. Travis Laster  
New Castle County Courthouse  
500 North King Street  
Wilmington, DE 19801

Re: Michael Scully v. NightHawk Radiology Holdings, Inc., et al.  
C. A. No. 5890-VCL

Dear Vice Chancellor Laster:

Together with the firm of Wilson, Sonsini, Goodrich & Rosati, P.C., we represent defendants NightHawk Radiology Holdings, Inc., David Engert, Peter Chung, David Brophy, Charles Bland, and Jeff Terrill in the above-captioned litigation. We submit this letter to provide Your Honor with a recent Order that the Court entered in the action styled *In Re NightHawk Radiology Holdings, Inc., Shareholder Litigation*, Lead Case No. CV2010-028112, currently pending in Maricopa County, Arizona. As noted in the joint submission attached to our letter to Your Honor dated January 31, 2011, the parties in the Arizona action asked the Arizona Court to defer the case management obligations under the Arizona Rules of Civil Procedure in light of the proceedings in this Court. However, the attached Order, issued in response to that submission, directs the parties to file a Joint Pretrial Memorandum on February 28, 2011. Pursuant to the Order, the Court also scheduled a Comprehensive Pretrial Conference pursuant to Rule 16(b) for March 7, 2011.

If Your Honor has any questions, counsel are available at the convenience of the Court.

Respectfully,

*/s/ D. McKinley Measley*

D. McKinley Measley (#5108)

DMM/dmd

Enclosure

cc: Blake A. Bennett, Esquire (*via e-filing*)  
Collins J. Seitz, Esquire (*via e-filing*)  
Bradley R. Aronstam, Esquire (*via e-filing*)  
Greg P. Williams, Esquire (*via e-filing*)