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December 6, 2011

Denise J. McNerney
Merits Cases Clerk
Supreme Court of the United States
1 First Street, N.E.
Washington, D.C. 20543

Re: Mayo Collaborative Services et al. v.
Prometheus Laboratories, Inc., No. 10-1150

Dear Ms. McNerney:

I am counsel of record for Respondent Prometheus Laboratories, Inc. in No. 10-1150. It was just brought to my attention that a change in my client's corporate ownership structure after certiorari was granted could be of interest to the Court, as individual Justices assess whether to consider recusing themselves. On July 1, 2011, Prometheus was acquired by a wholly owned U.S. subsidiary of Nestle SA, and is now a wholly owned indirect subsidiary of Nestle SA, which is publicly traded. Please convey my apologies to the Court that we did not bring this change to its attention sooner.

Best regards,



Richard P. Bress
Of Latham & Watkins LLP

CC: Stephen M. Shapiro
Jonathan Singer