

Solvay Wants To Break Apart Two Isolated Paragraphs In The Letter

The image shows a collage of documents. On the left, a document with the Solvay logo and the heading "Solvay" is shown. A section of this document is torn out, with two blue arrows pointing from the torn edges to a highlighted yellow section on the right. The yellow section contains two numbered paragraphs from a letter.

SOLVAY
Solvay Pharmaceuticals Inc.
2000 Riverchase Blvd.
Cincinnati, Ohio 45215

January 17, 2008

Mr. E. Thomas Arbaugh
Chairman and CEO
Eli Lilly and Company
2000 Riverchase Blvd.
Cincinnati, Ohio 45215

Dear Tom:

- Effective January 1, 2008, Solvay Pharmaceuticals will be responsible for and pay the advertising and sales promotion ("ASP") and spread-over expenses related to Concerta, including direct selling expenses of Cardinal Mark (CMA).
- Upon completion of the "Transition Recovery Phase" (as defined below), the parties shall share equally in the gross profit from the sale of Concerta, less ASP expenses incurred by Solvay Pharmaceuticals, as detailed in the attached multiple attached sheets as ~~attached~~. Transition Recovery Phase shall cover the period of time from 1/1/2008 until the cumulative gross profit from Concerta sales exceeds the 194% of the Solvay Pharmaceuticals Investment (defined as the cumulative ASP incurred by Solvay Pharmaceuticals from 1/1/2008 forward) and the December 1999 Concerta Investment (defined as \$10,000,000). During the Transition Recovery Phase, the split of gross profits shall be calculated as follows: