

DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR

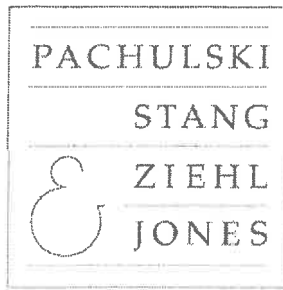
ACTION REFERRAL

EA

TO <i>Roberts</i>	DATE <i>9-12-14</i>
----------------------	------------------------

DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER <i>000062</i>	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____
2. DATE SIGNED BY DIRECTOR <i>CC: Mr. Keck, Singleton, Amick</i>	<input type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____
	<input type="checkbox"/> FOIA DATE DUE _____
	<input checked="" type="checkbox"/> Necessary Action

APPROVALS (Only when prepared for director's signature)	APPROVE	* DISAPPROVE (Note reason for disapproval and return to preparer.)	COMMENT
1.			
2.			
3.			
4.			



RECEIVED

SEP 15 2014

Department of Health & Human Services
OFFICE OF THE DIRECTOR

September 10, 2014

LAW OFFICES
LIMITED LIABILITY PARTNERSHIP

LOS ANGELES, CA
SAN FRANCISCO, CA
WILMINGTON, DE
NEW YORK, NY

10100 SANTA MONICA BLVD.
11th FLOOR
LOS ANGELES
CALIFORNIA 90067-4100

TELEPHONE: 310/277 6910

FACSIMILE: 310/201 0760

SAN FRANCISCO
150 CALIFORNIA STREET
15th FLOOR
SAN FRANCISCO
CALIFORNIA 94111-4500

TELEPHONE: 415/263 7000

FACSIMILE: 415/263 7010

DELAWARE
919 NORTH MARKET STREET
17th FLOOR
P.O. BOX 8705
WILMINGTON
DELAWARE 19899-8705

TELEPHONE: 302/652 4100

FACSIMILE: 302/652 4400

NEW YORK
788 THIRD AVENUE
36th FLOOR
NEW YORK
NEW YORK 10017-2024

TELEPHONE: 212/561 7700

FACSIMILE: 212/561 7777

VIA FIRST CLASS MAIL

Anthony Keck, Director
South Carolina Department of Health and
Human Services
P.O. Box 8206
Columbia, SC 29202-8206

**Re: In re Savient Pharmaceuticals, Inc., et al.,
Bankruptcy Case No. 13-12680 (MFW) (Bankr. D. Del.)**

Dear Mr. Keck:

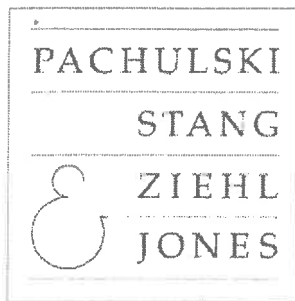
This firm is counsel to the SPI Liquidating Trust in the Delaware bankruptcy case of Savient Pharmaceuticals, Inc. ("Savient"). As you may be aware, on October 14, 2013 (the "Petition Date"), Savient filed for bankruptcy.

The Liquidating Trust's investigation has revealed potential claims against the South Carolina Department of Health and Human Services under sections 547 and 550 of the Bankruptcy Code, which give the Liquidating Trust the power to recover certain payments made to creditors during the 90-day period prior to Savient's bankruptcy case.

Based upon review of Savient's books and records, the Liquidating Trustee has determined that the South Carolina Department of Health and Human Services received payments from Savient or one or more of its related entities, during the 90 day pre-bankruptcy period, totaling not less than \$11,201.03 (the "Payments"). Attached is a list of those payments.

In an effort to avoid litigation, the Liquidating Trust hereby offers to fully and completely settle this matter in exchange for payment in the amount of \$10,081.00 (the "Settlement Amount"), which represents approximately 90% of the amount of the Payments that the South Carolina Department of Health and Human Services received during the 90 day pre-bankruptcy period.

If you wish to accept this settlement offer, the Settlement Amount must be received at the address below within 30 days of the



LAW OFFICES

September 10, 2014

Page 2

date of this letter. Please make your check payable to "SPI Liquidating Trust" and mail it to the following address:

SPI Liquidating Trust Recovery Project
c/o Pachulski Stang Ziehl & Jones LLP
Attn: Jason S. Pomerantz
10100 Santa Monica Blvd., 13th Floor
Los Angeles, CA 90067-4003

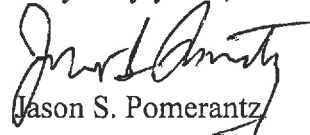
Upon receipt of the Settlement Amount, we will forward a settlement agreement to document the settlement.

If you contend that the South Carolina Department of Health and Human Services can avail itself of any statutory or other defenses to the claims asserted in connection with the Payments, please forward to the above-listed address all documentation in support of any such defenses within 20 days of the date of this letter. The Liquidating Trustee reserves his rights to pursue all of his legal and equitable remedies against the South Carolina Department of Health and Human Services for recovery of the Payments.

This confidential letter is submitted for settlement purposes only, and as such, any statements contained herein are inadmissible pursuant to Rule 408 of the Federal Rules of Evidence and Rule 9017 of the Federal Rules of Bankruptcy Procedure. Nothing contained herein should be construed as an admission of fact or law by the Liquidating Trust, the Debtors, or their representatives.

If you have any questions regarding this matter, you may contact the undersigned at (310) 277-6910 or by email at jspomerantz@pszjlaw.com.

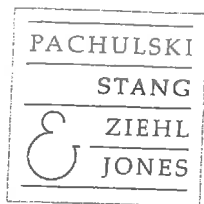
Very truly yours,



Jason S. Pomerantz

Enclosure (schedule of Payments)

SOUTH CAROLINA DEPT OF HEALTH AND HUMAN SERVICES			
Check #	Check Date	Check Amount	
067509	09/30/2013	\$ 11,201.03	
TOTAL		\$ 11,201.03	

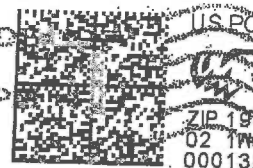


LAW OFFICES
LIMITED LIABILITY PARTNERSHIP
WILMINGTON, DE
LOS ANGELES, CA
SAN FRANCISCO, CA
NEW YORK, NY

919 NORTH MARKET STREET
17th FLOOR
P.O. BOX 8705
WILMINGTON
DELAWARE 19899-8705
(Courier Zip Code 19801)

WILMINGTON DE

11 SEP 2014 P



RECEIVED

SEP 15 2014

Department of Health & Human Services
OFFICE OF THE DIRECTOR

Anthony Keck, Director
South Carolina Department of Health and
Human Services
P.O. Box 8206
Columbia, SC 29202-8206

(MRS) 77170/001

292028206

