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The Honorable William K. Suter
Clerk, Supreme Court of the United States
One First Street, N.E.
Washington, D.C. 20543


Re: *Wyeth v. Levine*, No. 06-1249

Dear General Suter:

As has been widely reported, petitioner Wyeth and Pfizer, Inc. have signed an agreement under which, if certain conditions are met, Pfizer will acquire Wyeth in a cash-and-stock transaction. According to public statements and SEC filings by Wyeth and Pfizer, consummation of the proposed acquisition is subject to customary closing conditions, including approval by Wyeth's stockholders, regulatory approvals, and financing and other conditions. Under the agreement, closing will not take place until after the satisfaction or waiver of those conditions, and the change in the ownership of Wyeth's stock will not take place until closing. As explained in a public press release, the parties currently expect the transaction to close at the end of the third quarter or during the fourth quarter of 2009, and the merger agreement expressly provides that in no event will Pfizer be obligated to consummate the closing prior to July 31, 2009.

In light of the conditions set forth above, Wyeth does not believe that the proposed acquisition warrants amendment of the corporate disclosure statement in its previously-filed briefs. As required by Supreme Court Rule 29.6, those previous filings have stated that Wyeth has no parent corporation, and that no publicly held company owns 10% or more of its stock. That remains accurate. Should that information change such that amendment was required to Wyeth's disclosure statement, Wyeth would, of course, file such an amendment.

Very truly yours,


Seth P. Waxman *CMAC*

Counsel of Record for Petitioner

cc: Counsel of Record for Respondent
Hon. Edwin S. Kneeder, Acting Solicitor General