

Acknowledgement and Consent for Disclosure of Potential Conflict(s) of Interest and Waiver under 18 U.S.C. § 208(b)(3)

Thomas Fleming, Ph.D.

**Committee:** Anti-Infective Drugs Advisory Committee

**Meeting Date:** September 12, 2006

I acknowledge that contingent upon public disclosure of the financial interests listed below, related to new drug application (NDA) 21-158/S-006, Factive (gemifloxacin mesylate) tablets, Licensed from LG Life Sciences, Ltd., marketed by Oscient Pharmaceuticals Corporation, for the proposed treatment of acute bacterial sinusitis, I am eligible to receive a waiver under 18 U.S.C. §208(b)(3).

Type of Interest	Nature	Magnitude
Unrelated Data Monitoring Committee	Competitor	Less than \$10,001
Unrelated Data Monitoring Committee	Competitor	Less than \$10,001

I hereby request that FDA make this information publicly available on my behalf at the start of the advisory committee meeting for which it is issued. The public disclosure will be accomplished by reading the statement into the record and by making a written copy publicly available at the time of the meeting. I understand that without public disclosure of these interests, this waiver is not valid.

ISI  
Signature of SGE

8/16/06  
Date