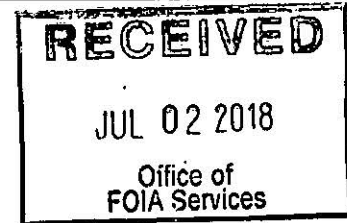


foiapa

18-05021-E

**From:** Mark Edwards <medwards@biosciadvisors.com>  
**Sent:** Friday, June 29, 2018 7:00 PM  
**To:** foiapa  
**Subject:** FOIA Request



I would like to request access to Exhibit 10.22 to the 9/30/09 10-K, filed by Bidel, Inc. (now called Albireo Pharma, Inc.) on 12/14/2009. Confidential treatment was sought as to certain portions when initially filed with the Commission.

In the event that confidential treatment has not expired or has been extended, I further request that you send me the expiration date(s) from the relevant CT order(s) so I will know when I should resubmit my request.

I authorize up to \$61 in search and retrieval fees. Please send the exhibit(s) by PDF if possible.

Sincerely,

Mark

Mark G Edwards  
Managing Director  
Bioscience Advisors  
2855 Mitchell Dr., Suite 103  
Walnut Creek, CA 94598  
[medwards@biosciadvisors.com](mailto:medwards@biosciadvisors.com)  
925 954-1397



UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
STATION PLACE  
100 F STREET, NE  
WASHINGTON, DC 20549-2465

Office of FOIA Services

August 9, 2018

Mr. Mark G. Edwards  
Bioscience Advisors  
2855 Mitchell Dr., Suite 103  
Walnut Creek, CA 94598

RE: Freedom of Information Act (FOIA), 5 U.S.C. § 552  
Request No. **18-05021-E**

Dear Mr. Edwards:

This letter is in response to your request, dated June 29, 2018 and received in this office on July 2, 2018, for access to Exhibit 10.22 to the Form 10-K, filed by Biondi, Inc. (now called Albireo Pharma, Inc.) on December 14, 2009.

The search for responsive records has resulted in the retrieval of 2 pages of records that may be responsive to your request. They are being provided to you with this letter.

No fees have been assessed for the processing of this request. If you have any questions, please contact me at [taylorf@sec.gov](mailto:taylorf@sec.gov) or (202) 551-8349. You may also contact me at [foiapa@sec.gov](mailto:foiapa@sec.gov) or (202) 551-7900. You also have the right to seek assistance from Dave Henshall as a FOIA Public Liaison or contact the Office of Government Information Services (OGIS) for dispute resolution services. OGIS can be reached at 1-877-684-6448 or [Archives.gov](http://Archives.gov) or via e-mail at [ogis@nara.gov](mailto:ogis@nara.gov).

Sincerely,

A handwritten signature in cursive script that reads "Felecia Taylor".

Felecia Taylor  
FOIA Lead Research Specialist

Enclosure

Second side letter to Supply Agreement effective November 6, 2009

To: Biodel Inc.  
Attn: Gerard Michel  
100 Saw Mill Road,  
Danbury, CT 06810, U.S.A.

Re: Deviation from and Amendment to Supply Agreement of 7 July 2008 ("Supply Agreement")

Dear Gerard,

Based upon recent discussions between Biodel and Organon it is understood that both parties desire to extend the current Supply Agreement as described below. Biodel requests a modification to the Supply Agreement such that the Fixed Quarterly Quantities of the Product to be delivered in calendar year 2010, as referred to in article 4.1 of the Supply Agreement, are reduced to the following: 10kg in Q1, 10kg in Q2, 10kg in Q3 and 25kg in Q4.

In addition to the revision above, the parties hereby amend the Supply Agreement such that the term of the agreement in article 11.1 is extended through December 31, 2011, with the total of all Fixed Quarterly Quantities for 2011 to be no less than 40kg. The timing of delivery, pricing and other details relating to the 40kg will be determined by the parties at a later date, but in any event no later than the second calendar quarter of 2010. For any quantity above 40 kg Organon has no obligation to supply until Organon's confirmation is sent to Biodel.

We agree to such amendment of the Supply Agreement and waive the reduction fee otherwise called for in article 4.1(b) thereof, on the following conditions:

1. Biodel shall not further reduce the revised 2010 and 2011 quantities.
2. Biodel agrees to working with Organon in an open and pro-active atmosphere in accordance with the letter and the spirit of the Supply Agreement, Confidentiality Agreements, side letters and/or any other agreements that have been entered into.

Biodel agrees to abide by the above conditions. If any of these conditions are violated, Biodel acknowledges the full retrospective applicability of, and shall fully abide by, the Supply Agreement, including without limitation as regards article 4.1(b) in case Biodel does not retrospectively order the Fixed Quarterly Quantities for 2010 and 2011 as required by the Supply Agreement.

All terms and conditions of the Supply Agreement shall remain in full force and effect. In case of any conflict between this side letter and the Supply Agreement, the contents of this side letter will prevail.

Yours sincerely,  
N.V. Organon

/s/ Miriam Meeiwissen

Name: Miriam Meeiwissen  
Title: Marketing Manager  
Biotechnology Products

/s/ Frans Lichtenauer

Name: Frans Lichtenauer  
Title: Director for Marketing & Sales  
APY/Biotech

For acceptance:

Biodel Inc.

/s/ Gerard Michel

Name: Gerard Michel  
Title: CFO