



**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION**

COMMISSIONERS: Timothy J. Muris, Chairman
Sheila F. Anthony
Mozelle W. Thompson
Orson Swindle
Thomas B. Leary

| | | |
|--|---|------------------------|
| In the Matter of |) | |
| |) | |
| Schering-Plough Corporation, |) | |
| a corporation, |) | |
| |) | |
| Upsher-Smith Laboratories, |) | |
| a corporation, |) | Docket No. 9297 |
| |) | |
| and |) | |
| |) | |
| American Home products Corporation, |) | |
| a corporation |) | |

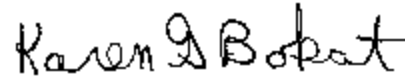
NOTICE OF APPEAL

Pursuant to FTC Rule of Practice § 3.52(a), Complaint Counsel hereby gives notice that it will appeal, against Respondents Schering-Plough Corporation and Upsher-Smith Laboratories, the entirety of the Initial Decision and Order entered by D. Michael Chappell in the above

captioned proceeding, except the portions relating to jurisdiction, commerce and the relevant geographic market.

DATE: July 9, 2002

Respectfully submitted,



Karen G. Bokat
Karen G. Bokat

Counsel Supporting the Complaint
Bureau of Competition
Federal Trade Commission
Washington, D.C. 20580

CERTIFICATE OF SERVICE

I, Karan R. Singh hereby certify that on July 9, 2002:

I caused one original and twelve copies of Complaint Counsel's Notice of Appeal to be served upon the following person by hand delivery-

Office of the Secretary
Federal Trade Commission
Room H-159
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

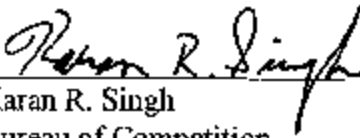
I caused one copy of Complaint Counsel's Notice of Appeal to be served by hand delivery upon the following person-

Hon. D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
Room 104
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

I caused copies of Complaint Counsel's Notice of Appeal to be served upon the following persons by facsimile and Federal Express-

Laura S. Shores, Esq.
Howrey Simon Arnold & White
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402

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Karan R. Singh
Bureau of Competition
Federal Trade Commission