

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION

SEP 28 2000

In the Matter of)
)
HOECHST MARION ROUSSEL, INC.,)
a corporation,)
)
CARDERM CAPITAL L.P.,)
a limited partnership,)
)
and)
)
ANDRX CORPORATION,)
a corporation.)
_____)

Docket No. 9293

**ORDER DENYING MOTION TO AMEND, MODIFY AND REISSUE
THE PROTECTIVE ORDER GOVERNING DISCOVERY MATERIALS**

On September 12, 2000, non-parties Kaiser Foundation Health Plan, Inc., BlueCross BlueShield of Michigan, and United HealthCare filed a motion to amend, modify and reissue the protective order entered in this case. Respondents Aventis Pharmaceuticals, Inc. and Andrx Corporation filed their oppositions thereto on September 25, 2000.

The current protective order adequately protects third parties' confidential material. To the extent clarification is necessary, the parties, experts, or consultants shall not disclose any Confidential Discovery Materials or matters learned therefrom to competitors of the Respondents, any other pharmaceutical company, any pharmacy benefits management company, any competitor of a third party which produced Confidential Discovery Material, or any entity that sells services or information to third party payers/insurers. In addition, in no event shall any party or third party be required to produce or otherwise divulge patient-identification or insured-identification information.

In all other respects, the motion is DENIED.

ORDERED:

Dm Chappell

D. Michael Chappell
Administrative Law Judge

Date: September 28, 2000