



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Bureau of Competition

December 18, 2001

BY HAND

Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission, Rm. 104
600 Pennsylvania Avenue, NW
Washington, DC 20580

Dear Judge Chappell:

Attached are two copies of our amended exhibit list. We have corrected some exhibits numbers that were inadvertently omitted or duplicated, and we have added one document that was inadvertently omitted from the list served on December 14, 2001. We are providing copies of the "amended exhibit list" and a copy of the omitted document to Schering-Plough and Upsher-Smith Laboratories today.

Sincerely,

Pamela L. Timus
Federal Trade Investigator
(202) 326-2390

Attachments

cc: Christopher M. Curran, Esq.
Laura S. Shores, Esq.

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION**

In the Matter of

SCHERING-PLOUGH CORPORATION,
a corporation,

UPSHER-SMITH LABORATORIES, INC.
a corporation,

and

AMERICAN HOME PRODUCTS CORPORATION

Docket No.: 9297

PLAINTIFF'S AMENDED EXHIBIT LIST December 18, 2001

Exhibit No.	Document Description	Document No.	Source
UPSHER IS A CORPORATION			
CX 1	“Upsher Articles of Incorporation”	Upsher-Smith-FTC-000001 - 000025	Upsher-Smith
POTASSIUM CHLORIDE SUPPLEMENT			
CX 2	K-Dur 20 mEq Review	SP003042 - 003043	Schering-Plough
CX 3	Part I. An Introduction to Hypertension.	Upsher-Smith-FTC- 190280 - 190303	Upsher-Smith
CX 4	E-mail files	Upsher-Smith-FTC-184390 - 184445	Upsher-Smith
CX 5	Spreadsheet, Copyright IMS Health for Potassium Supplement Chloride	SP089313 - 089313c	Schering-Plough
CX 6	Potassium Chloride Market Monopoly Rx Report - NRX, 10/01	SP089314 - 089317	Schering-Plough
CX 7-11	RESERVED		
MONOPOLY			
CX 12	US Patent, Hsiao et al., No. 4,863,743, 9/5/89	FTC0021318 - 0021406	Schering-Plough
CX 13	Memo re K-DUR Long Term Strategy, 3/8/95, Pickett to Baldini/Driscoll	SP003044 - 003048	Schering-Plough
CX 14	Quarterly Product Margin Report by brand, 4 th Quarter 1998, \$(000), 2/3/99	SP003622 - 003626	Schering-Plough
CX 15	Memo re K-DUR Generic Situation, 11/30/95, Driscoll to Stout	SP003883 - 003886	Schering-Plough
CX 16	Memo re K-DUR marketing research back grounder, 7/1/96, Androconis to DiLascia	SP003540 - 003565	Schering-Plough
CX 17	Memo re K-DUR marketing research back grounder, 7/1/96, Androconis to DiLascia, DeMola Driscoll Russo	SP003940 - 003954	Schering-Plough
CX 18	1997 K-DUR Marketing Plan, DiLascia, 9/10/96	SP23 00037 - 00064	Schering-Plough
CX 19	Klor-Con Tablets 1997 Marketing Plan, Dolan, 12/96	USL15224 - 15249	Upsher-Smith
CX 20	1998 K-DUR marketing Plan, DiLascia, 8/1/97	SP004030 - 004060	Schering-Plough
CX 21	Marketing Two Pagers, (for Klor-Con) Denise Dolan, 7/1/97	USL12823 - 12857	Upsher-Smith
CX 22	1999 K-DUR 20 mEq Marketing Plan, DiLascia, 9/28/98	SP23 00065 - 00086	Schering-Plough
CX 23	Klor-Con M20 Market Assumptions	USL07415 - 07416	Upsher-Smith

Exhibit No.	Document Description	Document No.	Source
MONOPOLY (Continued)			
CX 24	Klor-Con M20 Market Assumptions, (Inc. Scenario 2)	USL07396 - 07401	Upsher-Smith
CX 25	Klor-Con M20 Market Assumptions, (Inc. 3 Launch Scenario)	USL07329 - 07333	Upsher-Smith
CX 26	Key Facts and Assumptions, Klor-Con M20, 9/99, Sales Forecasts, J. Adams	USL07335 - 07361	Upsher-Smith
CX 27	1999 K-DUR Marketing Research Back grounder, 10/1/99 J to Chris, Bill and Steve	SP004658 - 004665	Schering-Plough
CX 28	Special Considerations for Klor-Con M20, 02/01/99, Rev. No.: 1999 Plan, J. Adams	Upsher-Smith-FTC-1001847 - 1001864	Upsher-Smith
CX 29	Potassium File	Upsher-Smith-FTC-1001839 - 1001846	Upsher-Smith
CX 30	Klor-Con, Bulk & Private Label Tablets, 1/10/00, J. Adams, Rev. No.: 2000 Plan	Upsher-Smith-FTC-152954 - 152993	Upsher-Smith
CX 31	Klor-Con M Team Meeting Notes 1/12/00	Upsher-Smith-FTC-154612 - 154613	Upsher-Smith
CX 32	Memo re K-Dur Competitive Update, 4/24/00, Kastan to Hamer	SP004099 - 004107	Schering-Plough
CX 33	Klor Con M Sales Plan 7/23/01 draft, 2001	Upsher-Smith-FTC-1009778 - 1009818	Upsher-Smith
CX 34	U.S. Pharmaceutical Market: Drugstore & Non-Retail Purchases, Potassium Supplements	SP020615 - 020657	Schering-Plough
CX 35	Potassium chloride (solid dose) Market Analysis, U.S., International, 2000-2001	AHP13 00025	AHP
CX 36	Shering-Plough Corporation Cardiovascular Product Sales	FTC0012212	Schering-Plough
CX 37	Average of Prescription By Strength Oral Potassium, IMS 2000, Sales Prices	Upsher-Smith-FTC-152004 - 152015	Upsher-Smith
CX 38	National Prescription Audit Data - 1999 Basic Data Report by Rx Size, Potassium Chloride supplements	SP020584 - 020599	Schering-Plough
CX 39	National Prescription Audit Data - 2000 Basic Data Report by Rx Size, Potassium Chloride supplements	SP020600 - 020614	Schering-Plough
CX 40	IMS audited dollar sales 09/22/00, Potassium chloride supplements	ESILederle-AHP0000117 - 0000127	AHP/ESI
CX 41	IMS Extended Units (TRx) 9/22/00, Potassium Chloride supplements	ESILederle-AHP0000128 - 0000140	AHP/ESI
CX 42	IMS Extended Units (TRx) 9/22/00	ESILederle-AHP0000141 - 0000153	AHP/ESI

Exhibit No.	Document Description	Document No.	Source
MONOPOLY (Continued)			
CX 43	National Prescription Audit Data -1996-2000, Potassium Chloride supplements	SP020658 - 020685	Schering-Plough
CX 44	Market 94-97 actual dollars plus current trend projections, dollars, tab/caps, units, s. Dolan	Upsher-Smith-FTC-191779 - 191786	Upsher-Smith
CX 45	<i>Data Lists</i> , "Retail Perspective and Provider Perspective, Non-Federal Hospitals, Combined Purchases,"; Vol. 3; IMS America, 1/1997 - 12/1997.	ABT000031 - 000044	Abbott
CX 46	<i>Data Lists</i> , "Retail Perspective and Provider Perspective Non-Federal Hospitals, Combined Purchases, Reissue March 2000", Vol. 3; 1/1999 - 12/1999.	ABT000045 - 000055	Abbott
CX 47	IMS 1997-98, dollar, unit sales potassium chloride supplements	USL07428	Upsher-Smith
CX 48	Jan. - Sept. Plan vs Actuals 1999 (Sales)	USL18755 - 18761	Upsher-Smith
CX 49	Price Increase History for NDC: 00085-0263-01, K-Dur 10,20; 1995-2000	SP049048 - 049053	Schering-Plough
CX 50	New Business Opportunities Klor-Con Tablets, April 1999, Market info, costs, competition	USL13473 - 13530	Upsher-Smith
CX 51	Memo re potassium supplement pricing, 7/29/99, No.: 521.007; Marketing Scenario to U-S Sales Department	Upsher-Smith-FTC-195767 - 195770	Upsher-Smith
CX 52	Correspondence to Douglas Sporn, FDA from Jacqueline Davis, Andrx re Original Abbreviated New Drug Application for potassium chloride extended-release tablets USP, 10 mEq & 20 mEq, 3/22/99	ANDX-SP005046	Andrx
CX 53	Patent Certification Under 21 CFR §314.94 and Notice of Certification of Invalidity or Noninfringement of a Patent Under 21 CFR §314.95 (Andrx)	SP21 00004 - 00022	Schering-Plough
CX 54	E-mail re KCL Forecast, 9/22/99, Cohen to Cobb	ANDX-SP001158	Andrx
CX 55	2002 Preferred Drug List, United Healthcare	FTC0022170 - 0022200	United Healthcare
CX 56	Rx Selections Formulary	MERCK-MEDCO000193 - 000198	MERCK-MEDCO
CX 57	Preferred Prescriptions Formulary	MERCK-MEDCO000187 - 000192	MERCK-MEDCO
CX 58	Potassium Supplement (8 MEQ Strength) P&T Therapeutic Interchange Proposal	MERCK-MEDCO000153 - 000159	MERCK-MEDCO
CX 59	Correspondence to Mark Halvorsen, US from Douglas Sporn, FDA, approving ANDA for Klor-Con 20, 11/20/98	Upsher-Smith-FTC-087345 - 087346	Upsher-Smith

Exhibit No.	Document Description	Document No.	Source
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MONOPOLY (Continued)

CX 60	Memo from Pickett to Baldini and Driscoll re K-DUR long term strategy, 3/8/95	SP076520 - 076524	Schering-Plough
CX 61	K-DUR Generic strategy status report/action plan	SP076525 - 076527	Schering-Plough
CX 62	Potassium Chloride Market Monthly Rx Report NRX, 12/97	SP089324 - 089327	Schering-Plough
CX 63	Potassium Chloride Market Monthly Rx Report NRX, 12/98	SP089328 - 089331	Schering-Plough
CX 64	Potassium Chloride Market Monthly Rx Report NRX, 12/99	SP089332 - 089335	Schering-Plough
CX 65	Potassium Chloride Market Monthly Rx Report NRX	SP089336 - 089339	Schering-Plough
CX 66	Direct Price List, 6/99	Upsher-Smith-FTC-1030413 - 1030414	Upsher-Smith
CX 67	Executive Summary, Sales Plan, Klor-Con M20, 3/22/01 Draft	Upsher-Smith-FTC-137991 - 138027	Upsher-Smith
CX 68	American Home Products Corporation, Annual Report, 1999	FTC0020194 - 0020278	AHP
CX 69	M10/M20 Market Data, 2/15/00	Upsher-Smith-FTC-142724 - 142771	Upsher-Smith
CX 70	Forecast team, Performance, Marketing views, Weekly Sales Summary, 7/01	Upsher-Smith-FTC-141772 - 142233	Upsher-Smith
CX 71	"Perspective Report", 10/15/97	Upsher-Smith-FTC-142234 - 142325	Upsher-Smith
CX 72	Klor-Con Market Data 1 of 3	Upsher-Smith-FTC-142532 - 142723	Upsher-Smith
CX 73	December 2000 In Line	Upsher-Smith-FTC-143200 - 143298	Upsher-Smith
CX 74	M10/M20 Market Data, 2/15/00	Upsher-Smith-FTC- 142724 - 142771	Upsher-Smith
CX 75	Marie Von Ende, Klor-Con Market Data, 2000, 2001	Upsher-Smith-FTC-142326 - 142404	Upsher-Smith
CX 76	Klor-Con 8 & 10 Potassium Chloride Extended Release Tabs, USP, Private Label 8 & 10mEq Tabs, 1/00	Upsher-Smith-FTC- 162109 - 162111	Upsher-Smith
CX 77	Potassium Market Conditions	Upsher-Smith-FTC- 163552 - 163553	Upsher-Smith
CX 78	E-mail to John Adams from Chris Evenstad re K-Dur Price Increases 8/99-8/00, 8/16/00, forwarded to Terri Johnson 8/19/01	Upsher-Smith-FTC- 1025661	Upsher-Smith
CX 79	Potassium Cumulative Market Projection	Upsher-Smith-FTC- 138065 - 138066	Upsher-Smith
CX 80	E-mail from Annamarie Lee to Sherry Dann re Potassium Pharmacy Data, 7/11/01	Upsher-Smith-FTC- 1026013	Upsher-Smith
CX 81	Potassium Chloride Market, New Products Prescriptions (000), 12/94 through 12/95	SP089318 - 089320	Schering-Plough

MONOPOLY (Continued)

Exhibit No.	Document Description	Document No.	Source
CX 82	Potassium Chloride Market, New Products Prescriptions (000), 12/95 through 12/96	SP089321 - 089323	Schering-Plough
CX 83	Upsher's IMS Physician Exponent Data by Month/Rep, K-Dur 20, Sorted by ASR, Unit Data Only, All Physicians, 9/00 through 8/01	Upsher-Smith-FTC- 1034802 - 1034923	Upsher-Smith
CX 84-113	RESERVED		
FORECASTS			
CX 114	Upsher-Smith 1997 Sales Plan, 1997 Actuals and forecast, revised, 5/97, J. Hughes	USL13151 - 13152	Upsher-Smith
CX 115	Five Year K-DUR Sales Forecast, 8/30/95; Birch to Monroe	SP004794 - 004799	Schering-Plough
CX 116	Schering Labs, 1995 Operating Plan Data Perspective, \$ Millions, 11/10/94	SP23 000216	Schering-Plough
CX 117	Schering Labs, 1996 Operating Plan Data Perspective \$Millions, 11/14/95	SP23 00021 - 00217a	Schering-Plough
CX 118	Schering Labs, Sales by major product classification, 1997 Operating Plan, \$ Thousands, 11/11/96	SP23 00218aa - 00219aa	Schering-Plough
CX 119	Schering Labs, Sales by major product classification, 1999 Operating Plan, \$ Thousands	SP23 00220a	Schering-Plough
CX 120	Schering Labs, Five year sales forecast by product	SP23 00297a	Schering-Plough
CX 121	Schering Labs, Five year forecast (1997-2001) Assumptions	SP23 00299a - 00303a	Schering-Plough
CX 122	Voluntary recall of K-Dur 20 S.R. Tablets, lot #94167, Forecasts 2001-2002, 6/5/97	SP23 00292 - 00334	Schering-Plough
CX 123	1996 Key Pharmaceuticals, K-DR 5 Year Unit Projection, Assumption: No Generics	SP004800 - 004826	Schering-Plough
CX 124	Five year forecast (1996-2000_, \$Millions, 3/96	SP23 00316a	Schering-Plough
CX 125	5 Year Production Plan-Samples 1998-2002, Annual Sample Forecast (Units), 8/22/97	SP23 00317a - 00318a	Schering-Plough
CX 126	5 Year Sales Plan-Schering Labs Products-Las Piedras-1998-2002, 11/13/97	SP23 00319a	Schering-Plough
CX 127	5 Year Sales Plan-Schering Labs Products-Las Piedras-1998-2002, 11/13/97	SP23 00320a - 00324a	Schering-Plough
CX 128	Key Pharmaceuticals Five Year Sales Forecast (\$000's)	SP23 00325a - 00326a	Schering-Plough
FORECASTS (Continued)			
CX 129	1996-1998 Plan	SP23 00327a	Schering-Plough

Exhibit No.	Document Description	Document No.	Source
CX 130	5 Year Sales Plan-Schering Labs Products-1998-2002, 8/22/97	SP23 00330a - 00334a	Schering-Plough
CX 131	Key Pharmaceuticals Five Year Sales (Net), \$(000)'s, 7/30/97	SP23 00336a	Schering-Plough
CX 132	1997 K-DUR Forecast	SP23 00213	Schering-Plough
CX 133	Key Pharmaceuticals, 1997 Operating Plan, K-DUR Generic Module, Lindquist to Inserra, 3/2/97	SP25 00004 - 00005	Schering-Plough
CX 134	K-DUR Base Case Financial Analysis, 6/28/98, with and with out Lozenge	SP004672 - 004704	Schering-Plough
CX 135	K-Dur Lozenge (K-dur/Rebetol), 8/22/98, spread sheet	SP23 00344 - 00356	Schering-Plough
CX 136	Schering 1995 Operating Plan Data Perspective	SP23 00216	Schering-Plough
CX 137	<i>Product Forecast</i> , K-Dur: 1996 sales plan, 1997-2000 forecasts; 1996.	SP23 00325	Schering-Plough
CX 138	Klor-Con M20 Sept Launch with Private Label and Warrick (Units)	Upsher-Smith-FTC-0000788 - 0000790	Upsher-Smith
CX 139	Strategic Business Objectives	SP23 00215	Schering-Plough
CX 140	K-DUR: For the treatment and prevention of hypokalemia	SP23 00001 - 00009	Schering-Plough
CX 141	<i>Forecasts from files of Lawrence Alaburda</i> , "Key Pharmaceuticals, K-Dur Generic Sales Impact Summary - non-infringement, \$(000)'s"; <i>provided by Key</i> , date unclear.	501 DOC000647	AHP
CX 142	Correspondence re Warrick Contingency Plan for Potassium Chloride ER Tablets, 2/26/97	SP25 00001 - 00058	Schering-Plough
CX 143	Handwritten Note with attached correspondence re Warrick Contingency Plan for Potassium Chloride ER Tablets, 2/26/97	SP26 00001 - 00008	Schering-Plough
CX 144	Standard Costs K-DUR: Potassium Chloride Tablets Warrick 12 month forecast	SP22 00001 - 00005	Schering-Plough
CX 145	Warrick Five Year Forecast Feb. 1996 Assumptions: K-DUR generic launch 7/97	SP23 00335 - 00339	Schering-Plough
CX 146	Long term Planning new Product Profitability Statement 4/2/96	USL05751 - 05753	Upsher-Smith
CX 147	Long Term Planning Meeting 9/11/96	USL12744 - 12772	Upsher-Smith
CX 148	Memo re Monthly Report, 3/5/97	Upsher-Smith-FTC-153540	Upsher-Smith
FORECASTS (Continued)			
CX 149	20 MEQ KCL Market, D. Dolan, 4/15/97	USL06733	Upsher-Smith
CX 150	20 mEq Projection notes, Dolan, 5/97	USL08535 - 08539	Upsher-Smith

Exhibit No.	Document Description	Document No.	Source
CX 151	Draft Long Term Plan 1999 to 2004	Upsher-Smith-FTC-1002631 - 1002656	Upsher-Smith
CX 152	Long Term Plan 1999 to 2004	USL08064 - 08085	Upsher-Smith
CX 153	Long Term Quantifiable Objectives (2001)	Upsher-Smith-FTC-172401 - 172522	Upsher-Smith
CX 154	E-Mail re Schering-Key-Warrick	Upsher-Smith-FTC-152404 - 152405	Upsher-Smith
CX 155	Klor Con M20 & M10 Projected Units to Manufacture (does not account for units sold) 2000 - 2001	Upsher-Smith-FTC-169864 - 169869	Upsher-Smith
CX 156	E-mail re Qualitest Pricing M20 / M10	Upsher-Smith-FTC-1009898 - 1009899	Upsher-Smith
CX 157	Gen 3-KDUR, USL, Warrick, PI	Upsher-Smith-FTC-151787 - 151796	Upsher-Smith
CX 158	Brand 1-KDUR, USL-Conserv SHR	Upsher-Smith-FTC-151809 - 151817	Upsher-Smith
CX 159	Brand with Warrick and PL	Upsher-Smith-FTC-151825 - 151827	Upsher-Smith
CX 160	1999 Scenario	Upsher-Smith-FTC-151998 - 152003	Upsher-Smith
CX 161	M20 Scenario Summary	USL08302	Upsher-Smith
CX 162	10 MEQ Microdispersable	USL06732	Upsher-Smith
CX 163	E-mail re Qualitest Klor-Con M Pricing	Upsher-Smith-FTC-1009883 - 1009884	Upsher-Smith
CX 164	Potassium chloride (20 mEq) Tablet Market Forecast	AHP13 00107 - 00125	AHP
CX 165	Letter re Potassium Chloride 20 mEq, 11/10/96	AHP13 00128 - 00129	AHP
CX 166	Potassium Chloride 20 mEq (K-DUR) Forecast 10/9/94	AHP13 00130	AHP
CX 167	Forecasts and attached memo, "subject: 20mEq Potassium Chloride Tablet forecast," from 1997-2001, to John Dagnello from Shafi Rahman, 1/10/97	AHP13 00104	
CX 168	20mEq Potassium Chloride Tablet forecast	AHP13 00106 - 00114	AHP
CX 169	K-DUR Analysis, 9/3/97, Multiple scenarios for generic entry	AHP13 00158 - 00184	AHP
CX 170	<i>Status report: pharmaceutical products</i> ; "Launch Year 1998", development remarks and comments on KCL 20 mEq; 12/4/97.	101 DOC001239 - 001243	AHP
CX 171	M20 Development File	Upsher-Smith-FTC-138932 - 139004	Upsher-Smith
CX 172	Launch Forecast, 3/23/01	Upsher-Smith-FTC-138067 - 138084	Upsher-Smith
CX 173	Klor-Con M Market Estimates, 3/29/01	Upsher-Smith-FTC-138085	Upsher-Smith
FORECASTS (Continued)			
CX 174	2001, MIC-CLEAR; Securities and Exchange Commission Form 10-K Annual Report	FTC0022249 - 0022320	FTC

Exhibit No.	Document Description	Document No.	Source
CX 175	May 2001 Inline	Upsher-Smith-FTC-142822 - 142829	Upsher-Smith
CX 176	Klor-Con M, 8/8/00	Upsher-Smith-FTC-088249 - 088251	Upsher-Smith
CX 177	E-mail to Mark Evenstad from Mike McBride re K-DUR price analysis, 6/13/01	Upsher-Smith-FTC- 1026321 - 1026322	Upsher-Smith
CX 178	Monthly Upsher Sales Reports, Forecasts, and Historical, 11/97 thru 7/01	Upsher-Smith-FTC- 141772 - 142233	Upsher-Smith
CX 179	E-mail to John Lund from Marie Von Ende re Rolling Forecast, 8/15/01	Upsher-Smith-FTC- 1023729 - 1023736	Upsher-Smith
CX 180	E-mail to Robert Coleman from John Adams re M20 Pricing, 4/15/01	Upsher-Smith-FTC- 1025473 - 1025477	Upsher-Smith
CX 181	E-mail to Mike McBride from John Adams re M20 April 2001 Pricing Scenarios, 4/13/01	Upsher-Smith-FTC- 1025484 - 1025488	Upsher-Smith
CX 182	E-mail to Mike McBride from John Adams re M20 Pricing, Price Workbook, 2/16/01	Upsher-Smith-FTC- 1025489 - 1025490	Upsher-Smith
CX 183	E-mail to Jim Tempesta from John Adams re M20 Stuff, 20 mEq and 10 mEq, 1/22/01	Upsher-Smith-FTC- 1025578 - 1025580	Upsher-Smith
CX 184	E-mail to Mike McBride from John Adams re KC M20/M10 Pricing, 11/21/00	Upsher-Smith-FTC- 1025619 - 1025621	Upsher-Smith
CX 185	E-mails re 2001 Sales Plan in \$(000's) and units, 10/4/00 and 10/23/00	Upsher-Smith-FTC- 1025642 - 1025649	Upsher-Smith
CX 186	Upsher-Smith Labs, Klor-Con M, 8/8/00	Upsher-Smith-FTC- 155814 - 155817	Upsher-Smith
CX 187	Executive Summary, Sales Plan, Klor-Con M20 2001	Upsher-Smith-FTC- 137991 - 138027	Upsher-Smith
CX 188	Klor-Con M total tablets	Upsher-Smith-FTC- 138045 - 138050	Upsher-Smith
CX 189	Klor-Con M20 & M10 Launch Forecasts, Sales-National Accounts, 3/23/01, Sales Plan Totals	Upsher-Smith-FTC- 138067 - 138084	Upsher-Smith
CX 190	Kor-Con M20 Development File	Upsher-Smith-FTC- 138932 - 139004	Upsher-Smith
CX 191	E-mail to Mark Evenstad from John Adams re Klor-Con M20/M10 NPV, 8/30/00	Upsher-Smith-FTC- 1026472 - 1026475	Upsher-Smith
CX 192	E-mail to Nancy Wolter from John Adams re Klor-Con M20/M10 Units, 8/30/00	Upsher-Smith-FTC- 1026476 - 1026481	Upsher-Smith
CX 193	E-mail to Mark Evenstad from Marie Von Ende re M10/M20 Units & Extended Units, 8/10/00	Upsher-Smith-FTC- 1026526 - 1026527	Upsher-Smith
CX 194-223	RESERVED		
SCHERING/UPSHER-SMITH PATENT LITIGATION			
CX 224	RESERVED		

Exhibit No.	Document Description	Document No.	Source
CX 225	Complaint filed 12/15/95 by Key Pharm. against Upsher-Smith	SP08 - 00002 - 00034	Schering-Plough
CX 226	Answer (to complaint, 12/15/95) filed 1/29/96 by Upsher-Smith	SP08 00035 - 00044	Schering-Plough
CX 227	Correspondence from Paul Kravlovec to Richard Larson re updated info with regard to ongoing litigation Upsher-Smith is involved with., 6/4/96	USL02876 - 02877	Upsher-Smith
CX 228	Upsher-Smith's memo in opposition to Key Pharm. motion to dismiss, filed 8/15/96	SP08 00224 - 00256	Schering-Plough
CX 229	Reply brief in support of Upsher-Smith's motion to strike certain of Key Pharm's affirmative defenses, 8/22/96	SP08 00257 - 00274	Schering-Plough
CX 230	Memo in support of Upsher-Smith's motion for summary judgement of non-infringement, 10/96	SP08 00372 - 00414	Schering-Plough
CX 231	Reply memo in support of Upsher-Smith's motion for summary judgement of non-infringement, hearing date 3/10/97	SP08 00454 - 00479	Schering-Plough
CX 232	Memo re monthly reports - operational committee, 2/6/97	USL15389 - 15399	Upsher-Smith
CX 233	Memo re Klor-Con M Tentative Approval, 3/12/97	USL13147	Upsher-Smith
CX 234	Memo re 1997-1999 long term plan, 10/9/96	USL12781 - 12808	Upsher-Smith
CX 235	Memo re Klor-Con M tentative approval, 5/13/97	USL06745	Upsher-Smith
CX 236	Reply of key Pharmaceuticals to Upsher's counterclaims, 2/20/96	ESI00597 - 00601 601 DOC000431 - 000435	AHP/ESI
CX 237	Declaration accompanying opposition of Key Pharmaceuticals' to Upsher-Smith's motion for summary judgement of non-infringement, Key v. Upsher-Smith, 1/7/97	USL PLD002760 - 002876	Upsher-Smith
CX 238	Declaration accompanying opposition of Key Pharmaceuticals' to Upsher-Smith's motion for summary judgement of non-infringement, Key v. Upsher-Smith, 1/7/97	USL PLD002764 - 002876	Upsher-Smith
CX 239	Reply Memo in support of Upsher-Smith's motion for summary judgement of non-infringement, Key v. Upsher-Smith, 3/10/97	USL PLD002992 - 003017	Upsher-Smith
CX 240	Supplemental statement of material facts as to which there exists no genuine issue, Key v. Upsher-Smith, 2/6/97	USL PLD003018 - 003061	Upsher-Smith

SCHERING/UPSHER-SMITH PATENT LITIGATION (Continued)

Exhibit No.	Document Description	Document No.	Source
CX 241	Exhibits to reply Memo in support of Upsher's motion for summary judgement of non-infringement, Key v. Upsher-Smith, 3/10/97	USL PLD003062 - 003311	Upsher-Smith
CX 242	Surrebuttal Expert Report of Dr. Harold B. Hopfenberg and Mr. William O. Butler, 5/22/97 and 5/29/97 signed	ESI EXP000753 - 000766	ESI
CX 243-252	RESERVED		
UPSHER-SMITH'S LAUNCH PLAN PRE-AGREEMENT			
CX 253	<i>CID Response</i> , In Re: Schering-Plough Corporation, Upsher-Smith Laboratories, Inc. and ESI-Lederle, Inc., FTC File No. 9910256 ; "Abbott Laboratories' Responses to. . . CID. . . Specifications"; certified by James Ferguson (Sonnenschein Nath & Rosenthal), date not specified.	ESI Abbott Labs0000007 - 0000013	Abbott
CX 254	Upsher-Smith long term plan, 4/2/96, Assuming 11/97 launch Klor-Con M20	USL05249 - 05287	Upsher-Smith
CX 255	Klor-Con -M20, 3/12/97	USL02611 - 02632	Upsher-Smith
CX 256	Meeting notes from the time line meeting for Klor-Con M20 on 4/29/97	USL06736 - 06737	Upsher-Smith
CX 257	20 mEq assumptions for the projections, 4/30/97	USL06738 - 06739	Upsher-Smith
CX 258	20 mEq unit projection	USL06740 - 06741	Upsher-Smith
CX 259	Memo re monthly report, 5/7/97	USL15459 - 15462	Upsher-Smith
CX 260	Memo re Klor-Con M tentative approval, 5/13/97	USL06745	Upsher-Smith
CX 261	E-mail re Packaging of June's Klor Con M Validation Lots, 5/19/97	Upsher-Smith -FTC- 088777	Upsher-Smith
CX 262	Memo re May business development monthly report, 6/4/97	USL15469 - 15476	Upsher-Smith
CX 263	Klor-Con 20, 5/12/95	Upsher-Smith-FTC-170346 - 170383	Upsher-Smith
CX 264	Memo re Organizational structure and resources, 10/2/96	USL00005 - 00032	Upsher-Smith
CX 265	Klor-Con M20 info, 4/10/97	USL06730 - 06731	Upsher-Smith
CX 266	E-mail from Scott Gould to Denise Dolan re Klor-Con M20 IPC Production, 5/19/97	USL06747 - 06748	Upsher-Smith
CX 267	Key Business Unit Five Year Forecast	SP23 00212 - 00219a	Schering-Plough
CX 268-282	RESERVED		

SCHERING'S SCHEME

Exhibit No.	Document Description	Document No.	Source
CX 283	Executive Summary, Settlement discussions with Upsher-Smith and Schering	SP018780 - 018781	Schering-Plough
CX 284	Antitrust Law, "An Analysis of Antitrust Principles and Their Application," Volume XII	FTC0011087 - 0011098	FTC
CX 285-294	RESERVED		
NEGOTIATIONS SCHERING/UPSHER-SMITH			
CX 295	Correspondence re abbreviated new drug application dated 8/8/95, 3/6/97	USL06727 - 06729	Upsher-Smith
CX 296	Correspondence from Kapur to Troup re Schering (Key Pharmaceuticals) -Upsher agreement, 6/17/97	SP12 00313 - 00325	Schering-Plough
CX 297	Handwritten notes on negotiations	SP10 00001	Schering-Plough
CX 298	Expense Report	SP12 00367 - 00382	Schering-Plough
CX 299	Expense Report	SP12 00383 - 00387	Schering-Plough
CX 300	Expense Report	SP00359 - 00366	Schering-Plough
CX 301	Kapur travel itinerary 6/2-6/97	SP12 00346 - 00349	Schering-Plough
CX 302	Expense Report	SP12 00338 - 00342	Schering-Plough
CX 303	Kapur Hotel receipt	SP12 00358	Schering-Plough
CX 304	Upsher-Smith Employee Expense Report	Upsher-Smith-FTC-194313 - 194325	Upsher-Smith
CX 305	Expense Report	SP12 00393 - 00401	Schering-Plough
CX 306	Expense Report	SP12 00329 - 00334	Schering-Plough
CX 307	Expense Report	SP12 00388 - 00392	Schering-Plough
CX 308	Expense Report	SP12 00335 - 00337	Schering-Plough
CX 309	Ian Troup Desk calendar	Upsher-Smith-FTC-194131 - 194247	Upsher-Smith
CX 310	Schering draft of confidentiality agreement for disclosures re Niacor, Wasserstein to Troup, 6/10/97	SP16 00231 - 00235	Schering-Plough
CX 311	Settlement discussions	SP12 00111 - 00112	Schering-Plough
CX 312	License Terms for U-S Products, discussions	SP12 00001	Schering-Plough
CX 313	Points of Agreement with Key Pharmaceuticals., 6/17/97	SP12 00238 - 00243	Schering-Plough
CX 314	Points of Agreement with Key Pharmaceuticals., 6/17/97	SP12 00143 - 00148	Schering-Plough
CX 315	Upsher-Smith Financials 1995-1997	USL01223 - 01236	Upsher-Smith

NEGOTIATIONS SCHERING/UPSHER-SMITH (Continued)

Exhibit No.	Document Description	Document No.	Source
CX 316	Income Statement, July Results	USL00964 - 01001	Upsher-Smith
CX 317	Financial Statements 1/3/99 and 1/4/98	USL01636 - 01652	Upsher-Smith
CX 318	K-DUR Lozenge/Nitro-DUR Color Change Quantitative Assessment	SP002659 - 002665	Schering-Plough
CX 319	Memo re K-DUR 20 Meltab, 5/4/99	SP004709 - 004732	Schering-Plough
CX 320	Memo re K-DUR Meltab, 6/22/99	SP004738 - 004743	Schering-Plough
CX 321	Product Strategies, 4/2/96	USL05245 - 05248	Upsher-Smith
CX 322	Product Strategies, 9/11/96	USL05283 - 05288	Upsher-Smith
CX 323-337	RESERVED		
BOARD APPROVAL			
CX 338	<i>Presentation, forecasts and attached Internal Memorandum, "RE: Board of Director's Meeting- June 24, 1997", summary of proposed license agreement with Upsher-Smith; to Schering Board of Directors; from William Silbey; 6/19/97.</i>	SP12 00266 - 00275	Schering-Plough
CX 339	Board of Directors Presentation, Upsher-Smith Transactions	SP12 00254 - 00265	Schering-Plough
CX 340	Schering-Plough Corp's Meeting of the Board of Directors, 6/24/97	SP07 00001 - 00018	Schering-Plough
CX 341	Board of Director's Presentation, Upsher-Smith License, 6/24/97	SP12 00244 - 00253	Schering-Plough
CX 342-346	RESERVED		
SCHERING/UPSHER-SMITH AGREEMENT			
CX 347	Correspondence from Kapur to Troup re Schering (Key Pharmaceuticals) -Upsher agreement, 6/17/97	SP12 00189 - 00199	Schering-Plough
CX 348	Settlement and License Agreement, 6/17/97	USL03183 - 03193	Upsher-Smith
CX 349-363	RESERVED		
POST AGREEMENT STAND DOWN			
CX 364	Klor-Con M20 , 7/97	USL12832 - 12838	Upsher-Smith
CX 365	Correspondence from Troup to Kapur re response to the status of launching the M20 product, 8/4/97	USL02061 - 02062	Upsher-Smith

Exhibit No.	Document Description	Document No.	Source
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POST AGREEMENT STAND DOWN (Continued)

CX 366	Audibert letter to Gorske requesting list of investigators, 8/21/97	SP05 00024	Schering-Plough
CX 367	Kapur to Troupe letter requesting group visit to plant for chlestyramine, mentions other products Upsher could produce, 7/16/97	SP05 00022 - 00023	Schering-Plough
CX 368-387	RESERVED		

UPSHER'S ABILITY TO LAUNCH

CX 388	Klor-Con M20 Approval dates	USL16335 - 16341	Upsher-Smith
CX 389	Scale-Up Questions	Upsher-Smith-FTC-088079 - 088082	Upsher-Smith
CX 390	Klor Con M Team Meeting, 9/8/99	Upsher-Smith-FTC-088490 - 088491	Upsher-Smith
CX 391	E-mail re M20 Launch Quantities, 9/15/99	USL08250 - 08251	Upsher-Smith
CX 392	E-mail to Robert Coleman from John Adams re Klor-Con M20 Info, 1/5/99	Upsher-Smith-FTC- 1025786 - 1025787	Upsher-Smith
CX 393	Forecasts 9/20/99	Upsher-Smith-FTC-170084 - 170085	Upsher-Smith
CX 394	Follow-Up for IPC Meeting, 10/14/99	Upsher-Smith-FTC-170050 - 170060	Upsher-Smith
CX 395	Year 2001 - Total Tablets - 207,000,000	Upsher-Smith-FTC-170086 - 170124	Upsher-Smith
CX 396	Memo re Scientific affairs May Monthly Report, 5/3/00	Upsher-Smith-FTC-171911 - 171912	Upsher-Smith
CX 397-416	RESERVED		

ESI PATENT LITIGATION

CX 417	<i>Letter and attached amended certification</i> , Subject: ESI's amended certification, under section 505 (J) (2) (A) (vii) (IV) and 21 CFR § 314.94, concerning the '743 patent; to Harris Weinstein (Covington & Burling, also submitted to the FDA); from Deborah Somerville (Kenyon & Kenyon); 5/6/96.	501 DOC002713 - 002714	AHP
CX 418	<i>Letter</i> , "Re: Notice under section 505(j)(2)(B)(ii) of the Federal Food, Drug and Cosmetic Act - U.S. Patent 4,863,743"; to James Nelson (Schering-Plough Counsel, VP Patents and Trademarks); from Robert Wiser (ESI-Lederle Chief Patent Counsel); 1/22/96.	115 DOC000161 - 000163	AHP

Exhibit No.	Document Description	Document No.	Source
CX 419	Letter re Notice under section 505(j)(2)(B)(ii) of the Federal Food, Drug and Cosmetic Act - U.S. Patent 4,863,743, 12/29/95	SP06 00051 - 00052	Schering-Plough
ESI PATENT LITIGATION (Continued)			
CX 420	Letter re Notice under section 505(j)(2)(B)(ii) of the Federal Food, Drug and Cosmetic Act - U.S. Patent 4,863,743, 1/30/96	SP06 00021 - 00022	Schering-Plough
CX 421	Letter re Notice under section 505(j)(2)(B)(ii) of the Federal Food, Drug and Cosmetic Act - U.S. Patent 4,863,743, 1/30/96	SP06 00014 - 00020	Schering-Plough
CX 422	Letter re Amended notice to patent holder and holder of approved drug pursuant to Section 505(j)(2)(B)(ii) of the Federal Food, Drug and Cosmetic Act and 21 CFR § 314.94, 5/8/96	SP06 00006 - 00013	Schering-Plough
CX 423	<i>E-mail</i> , re: tentative ANDA approval for KCL; to Robert Alexander, etc.; from Linda O’Dea; 5/27/99.	203 DOC000073	AHP
CX 424	Complaint; Trial by jury demanded filed by Key Pharmaceuticals against ESI-Lederle 6/20/96	SP09 00251 - 00286	Schering-Plough
CX 425	<i>Proposed Judge’s Order, ESI Motion and Memorandum</i> , re: Key Pharmaceuticals v. ESI-Lederle, Inc. No. 96-CV-1219 , Subject: motion to dismiss and request for judgement on plaintiff’s claims, signed by Deborah Somerville (Kenyon & Kenyon), undated.	AHP10 00388 - 00408	AHP
CX 426	ESI’s memo in opposition to Key Pharmaceuticals’ substituted motion to strike ESI’s affirmative defense of patent invalidity, estoppel, and unenforceability to, in the alternative, to dismiss this action as moot, 5/31/96	AHP10 00409 - 00424	AHP
CX 427	Letter re Key Pharmaceuticals v. ESI-Lederle, Inc., 6/12/96	AHP10 00438	AHP
CX 428	Letter re Key Pharmaceuticals v. ESI-Lederle, Inc., 12/12/96	AHP10 00760 - 00765	AHP
CX 429	<i>Motion of Key Pharmaceuticals and attached cover letter</i> , Key v. ESI Civil Action No. 96-CV-1219 (E.D.Pa.) ; “Plaintiff’s memorandum in opposition to defendant’s motion to dismiss and for judgement on plaintiff’s claims of unfair competition, ‘future’ infringement, and willful infringement”; 5/24/96.	115 DOC000734 - 000762	AHP
CX 430	Amended Complaint filed 6/16/97	SP09 00484 - 00507	Schering-Plough
CX 431	Answer of ESI-Lederle to Key Pharmaceuticals’ Amended Complaint, 7/97	SP09 00517 - 00554	Schering-Plough

Exhibit No.	Document Description	Document No.	Source
CX 432	<i>Motion of Key Pharmaceuticals and attached cover letters Key v. ESI, Civil Action No. 96-CV-1219 (E.D.Pa.); “Reply memorandum of Key in support of Key’s cross-motion for summary judgement of infringement”; 4/9/97.</i>	115 DOC001566 - 001637	AHP
ESI PATENT LITIGATION (Continued)			
CX 433	<i>Motion of ESI-Lederle, Key v. ESI, Civil Action No. 96-CV-1219 and No. 96-CV-450 (E.D.Pa.); “1) To treat plaintiff’s second complaint as a consolidated amended complaint; 2) For a more definite statement; 3) For partial dismissal of the second complaint; and 4) To strike jury demand and certain request for relief”; 7/23/96.</i>	115 DOC000829 - 000853	AHP
CX 434	Letter re Key Pharmaceuticals v. ESI-Lederle, Inc., 6/27/97	AHP10 01377 - 01438	AHP
CX 435	ESI’s Trial Memo	AHP10 01497 - 01512	AHP
CX 436	Answer and Counterclaim of ESI, 4/1/96	SP09 00032 - 00040	Schering-Plough
CX 437	Answer filed 6/29/96	ESI00550 - 00561 601 DOC000407 - 000418	AHP/ESI
CX438	Exhibits on medical issues, patent compliance	AHP10 00083 - 00150 ESI39832 - 39976	AHP/ESI
CX 439	Complaint, 2/16/96	AHP10 00268 - 00287	AHP
CX 440	Defendant’s motion for partial summary judgement, 2/5/97	AHP10 01083 - 001150	
CX 441	Expert Report of Dr. Harold B. Hopfenberg, 2/22/97	ESI EXP000716 - 000752	ESI
CX 442	Expert Report of John F. Witherspoon, 2/24/97	ESI DEP016360 - 016382	ESI
CX 443	Expert Report of Dr. Jens T. Carstensen, 4/2/97	ESI EXP000572 - 000615	ESI
CX 444	Surrebuttal Expert Report of Dr. Harold B. Hopfenberg, 7/14/97	ESI EXP000697 - 000715	ESI
CX 445	Certificate of Correction requested by Key Pharmaceuticals, Inc., filed 2/16/96, to Commissioner of Patents, 2/20/96	FTC0021642 - 0021647	FTC
CX 446-455	RESERVED		
ESI’S AGREEMENT AND NEGOTIATIONS			
CX 456	Letter re Key Pharmaceuticals v. ESI-Lederle, Inc., 12/6/96	AHP10 01079	AHP
CX 457	Letter re ESI has no sales force, 2/20/97	C+B-2 002175 - 002177	Covington & Burling
CX 458	Letter re ESI concerns about settlement proposal raising anti-trust risks, 3/19/97	C+B-2 002179	Covington & Burling

Exhibit No.	Document Description	Document No.	Source
CX 459	<i>Letter, Key Pharmaceuticals v. ESI-Lederle, Inc. No. 96-CV-1219</i> , Subject: Settlement; to Judge Reuter (E.D. Pa); from Anthony Herman (Covington & Burling), 4/18/97.	AHP05 00190 - 00191	AHP
ESI'S AGREEMENT AND NEGOTIATIONS (Continued)			
CX 460	Handwritten note, 9/26	SP13 00001	Schering-Plough
CX461	ESI projections of Potassium Chloride Sales, 9/97	SP13 00002 - 00004	Schering-Plough
CX 462	Letter re Key Pharmaceuticals v. ESI-Lederle, Inc., 7/25/97	AHP10 01670 - 01671	AHP
CX 463	Letter re Key Pharmaceuticals v. ESI-Lederle, Inc., 9/9/97	SP06 00039 - 00043	Schering-Plough
CX 464	<i>Letter and attached summary</i> , "Key Pharmaceuticals, Inc. v. ESI-Lederle, Inc. C.A. No. 96-1219 (E.D.Pa.)", summary agreement; to Paul Heller (Kenyon & Kenyon); from Anthony Herman (Covington & Burling); 9/12/97.	501 DOC002989 - 002993	AHP
CX 465	Letter re interest for new generic products in the European market, 10/14/97	SP06 00003 - 00005	Schering-Plough
CX 466	Letter Dey to Driscoll: ESI wants to sell Key 20mEq tablet for a fee, 2/20/97	SP06 00030 - 00031	Schering-Plough
CX 467	<i>E-mail</i> , "subject: KCL FDA communication"; to Nick Tantillo; from Michael Dey; 11/11/97.	203 DOC000050	AHP
CX 468	<i>Letter, Key Pharmaceuticals v. ESI-Lederle, Inc. No. 96-CV-1219</i> , Subject: Settlement Conference; to Judge Reuter (E.D. Pa); from Anthony Herman (Covington & Burling), 11/12/97.	AHP05 00225 - 00226	AHP
CX 469	<i>Letter and attached summary, Key Pharmaceuticals v. ESI-Lederle, Inc. No. 96-CV-1219</i> , Subject: ANDA correspondence between ESI and FDA; to Paul Heller and Deborah Somerville (Kenyon & Kenyon); from Anthony Herman (Covington & Burling); 12/15/97.	AHP05 00175 - 00178	AHP
CX 470	Letter re Key Pharmaceuticals v. ESI-Lederle, Inc., 12/17/97	C+B-2 000003 - 000004	Covington & Burling
CX 471	Correspondence re Proposed settlement between Schering and ESI	SP06 00044 - 00050	Schering-Plough
CX 472	Handwritten notes	C+B-2 002196 -002197	Covington & Burling
CX 473	<i>Letter, Key Pharmaceuticals v. ESI-Lederle, Inc. No. 96-CV-1219</i> , Subject: 12/22/97, Settlement proposal, 12/22/97; to Anthony Herman (Covington & Burling); from Paul Heller (Kenyon & Kenyon), 12/22/97.	AHP05 00239 - 00240	AHP

Exhibit No.	Document Description	Document No.	Source
CX474	Berman letter to Somerville rejecting ESI changes to agreement, 6/17/98	SP13 00632 - 00635	Schering-Plough
CX 475	Letter re Key Pharmaceuticals v. ESI-Lederle, Inc., 1/26/98	C+B-2 000006	Covington & Burling
ESI'S AGREEMENT AND NEGOTIATIONS (Continued)			
CX 476	Presentation; Licensing Agreement between SPOC and Warrick, 2/25/98	SP13 00859 - 00866	Schering-Plough
CX 477	Minutes of Meeting 2/1998	SP07 00019 - 00022	Schering-Plough
CX 478	<i>Letter and attached settlement agreement, re: Key Pharmaceuticals v. ESI-Lederle, Inc. No. 96-CV-1219, to Paul Berman (Covington & Burling); from Deborah Somerville (Kenyon & Kenyon), 2/9/98.</i>	AHP05 00247 - 00260	AHP
CX 479	Settlement Agreement, 6/19/98	SP13 00070 - 00089	Schering-Plough
CX 480	License Agreement	SP15 00053 - 00152	Schering-Plough
CX 481	Letter re Notice of ANDA approval letter; settlement agreement dated 6/19/98 between Key, Schering, ESI and AHP, 5/12/99	SP13 00636 - 00661	Schering-Plough
CX 482	Letter re Settlement agreement, Key v. ESI; Generic K-DUR KC1 Tablets 20 meq, 5/12/99	SP13 00794 - 00820	Schering-Plough
CX 483	<i>Letter, Subject: settlement discussions between Schering and AHP, "Re: Key Pharmaceuticals Inc v. ESI Lederle, Inc., Civil Action No. 96-CV-1219"; 6/18/98.</i>	501 DOC002692 - 002693	AHP
CX 484	<i>Settlement Agreement, re: Key Pharmaceuticals v. ESI-Lederle, Inc. No. 96-CV-1219; Signed by Richard Zahn and Egon Berg (AHP); 6/19/98.</i>	AHP05 00052 - 00071	AHP
CX 485	<i>License Agreement; Contract between Key and ESI, concerning Enalapril and Buspirone ANDA etc...; signed by David Poorvin and Egon Berg; fax date- 6/19/98.</i>	AHP05 00074 - 00171	AHP
CX 486	<i>Letters and attached settlement agreement, "Re: Notice of ANDA Approval Letter, Settlement agreement dated June 19, 1998 between Key... and AHP...", request for payment by AHP to Key; to various employees of Schering; from Lawrence Alaburda, 6/12/99.</i>	501 DOC004034 - 004066	AHP
CX 487	<i>Letter and attached license agreement; "re: payment due under 6/19/98 license agreement... re: Potassium Chloride Tablets"; to various employees of Schering-Plough; from Lawrence Alaburda; 6/7/01.</i>	402 DOC000085 - 000090	AHP

Exhibit No.	Document Description	Document No.	Source
CX 488	<i>Letters and attached license agreement, "Re: payment due under June 19, 1998 License Agreement Between Schering-Plough Ltd.,... and ESI... Re: Potassium Chloride Tablets"; to various employees of Schering; from Lawrence Alaburda, 6/7/01.</i>	501 DOC004004 - 004014	AHP
ESI'S AGREEMENT AND NEGOTIATIONS (Continued)			
CX 489	<i>Letters, re: Key Pharmaceuticals v. ESI-Lederle, Inc. No. 96-CV-1219, Subject: rejection of Schering's changes (concerning ancillary restraints) to proposal before Magistrate; to Paul Berman (Covington & Burling); from Deborah Somerville (Kenyon & Kenyon), 6/18/98.</i>	AHP07 00010 - 00012	AHP
CX 490	<i>Order discussing case after settlement, 1/26/98</i>	AHP10 02254	AHP
CX 491	<i>Letter from judge DuBois to parties on settlement, 1/26/98</i>	AHP10 02253	AHP
CX 492-506	RESERVED		
KOS			
CX 507	<i>Letter, Subject: Analysis of Niaspan information pursuant to possible business venture; to Mukesh Patel (Kos); from Fritz Casselman (Smith-Kline Beecham); 10/16/97.</i>	AAA0000008	KOS
CX 508	<i>File Note, Notes of Niaspan marketing meeting between Kos and Smith-Kline Beecham; cc: Dan Bell (Kos); from Mukesh Patel (Kos); 8/13/97.</i>	AAA0000004	KOS
CX 509	<i>Letter, Subject: lack of interest in pursuing Niaspan business venture; to Mukesh Patel (Kos); from Alain Benoit, Pierre Fabre; 3/10/99.</i>	AAA0000001	KOS
CX 510	<i>Letter, Subject: decision not to pursue Niaspan business venture; from Monte Parte (Bristol-Myers Squibb); to Mukesh Patel (Kos); 8/4/97.</i>	AAA0000159	KOS
CX 511	<i>Letter, Subject: lack of interest in pursuing Niaspan business venture; to Dan Bell (Kos); from Henry Solomon (Roche); undated.</i>	AAA0000002	KOS
CX 512	<i>Letter and Data Tables, Subject: possible co-promotion of Niaspan- attached sales activity summary and prescription data charts; to James Egan (Searle); from Mukesh Patel (Kos); 1/20/98.</i>	AAA0000016 - 0000019	KOS
CX 513	<i>Notes of Conference Call, Subject: pursuit of Niaspan business venture by Kos and Smith-Kline Beecham, "Outstanding Technical & Commercial Review Matters"; 11/6/97.</i>	AAA0000010	KOS

Exhibit No.	Document Description	Document No.	Source
CX 514	<i>Letter</i> , Subject: “feedback on Nicostatin”, possible co-promotion of Niaspan; to Mukesh Patel (Kos); from Riccardo Carbucicchio (Knoll AG), 7/13/99.	AAA0000027 - 0000028	KOS
KOS (Continued)			
CX 515	<i>Letter</i> , Subject: interest in pursuit of Niaspan business venture; to Mukesh Patel (Kos); from Alain Benoit (Pierre-Fabre), 10/28/98.	AAA0000029	KOS
CX 516	<i>Letter</i> , Subject: follow-up on Niaspan; to Valerie Magre (Pierre-Fabre); from Mukesh Patel (Kos), 3/3/99.	AAA0000033	KOS
CX 517	<i>Financial proposal</i> , “Kos Pharmaceuticals, Inc., Nicostatin Co-Promotion Proposal to Roche”; 4/4/00.	AAA0000034 - 0000036	KOS
CX 518	<i>Internal Memo</i> , Subject: Schering interest in Niaspan business venture with Kos; to Dan Bell (Kos); from Mukesh Patel (Kos); 1/7/97.	AAA0000037	KOS
CX 519	<i>Letter</i> , returned attachment of signed Niaspan CDA from Schering to Kos; to Mukesh Patel (Kos); from Karin Gast; 1/31/97.	AAA0000048 - 0000051	KOS
CX 520	Phone call to Karin Gast from Mukesh Patel re interest in Niaspan, availability of Niaspan, 1/15/97	SPCID2 1A 00092	Schering-Plough
CX 521	Niaspan	Pharmacia0000045 FTC0005112	Pharmacia
CX 522	Memo re KOS Pharmaceuticals, 10/6/97	Pharmacia0000041 - 0000043 FTC0005108 - 0005110	Pharmacia
CX 523	E-mail re KOS Niaspan, 11/3/97	Pharmacia0000040 FTC0005107	Pharmacia
CX 524	E-mail re KOS Niaspan, 11/11/97	Pharmacia0000036 - 0000039 FTC0005103 - 0005106	Pharmacia
CX 525	Letter re Meeting on Niaspan 12/7/97, 1/20/98	Pharmacia0000031 - 0000035 FTC0005098 - 005102	Pharmacia
CX 526	Memo re KOS Niaspan	Pharmacia0000002 - 0000030 FTC0005070 - 0005097	Pharmacia
CX 527	<i>Licensing summary</i> , Niaspan License in Territories Outside North America, Kos/Astra; 5/18/98.	AAA0000171	KOS
CX 528	<i>Letter</i> , Subject: decision not to pursue Niaspan business venture; from B.J. Jordan (Synthelabo); to Mukesh Patel (Kos); 2/24/98 and 10/24/97.	AAA0000161 - 0000162	KOS

Exhibit No.	Document Description	Document No.	Source
CX 529	Phone call re Initial contact, 1/15/97	SP002821	Schering-Plough
CX 530	Phone Call re Initial contact, 1/15/97	SP002819	Schering-Plough
CX 531	Phone Call re Follow Up, 1/20/97	SP002820	Schering-Plough
KOS (Continued)			
CX 532	<i>Internal Memo</i> , Subject: Kos' plans to send a new Confidentiality Agreement to Schering, per Niaspan-Kogan-Baldini-Jaharis conversations; to Dan Bell (Kos); from Mukesh Patel (Kos); 1/22/97.	AAA0000038	KOS
CX 533	Phone call re Anything from Baldini, 1/22/97	SP002817	Schering-Plough
CX 534	IMS World R&D Focus	SP002822 - 002823	Schering-Plough
CX 535	Phone call re Extent of our interest?, 1/22/97	SP002818	Schering-Plough
CX 536	<i>Letter and attached Confidentiality Agreement</i> , Subject: Niaspan CDA to Schering; to Karin Gast; from Mukesh Patel (Kos); 1/30/97.	AAA0000045 - 0000047	KOS
CX 537	Project Information	SP002666	Schering-Plough
CX 538	E-mail re Niacin SR and KOS, 2/10/97	SP002814	Schering-Plough
CX 539	Letter re confidential package on Kos' Niaspan product, 2/10/97	SP002813	Schering-Plough
CX 540	Letter re Kos' Niaspan, 2/11/97	SP002779 - 002812	Schering-Plough
CX 541	List All Filings Prospectus Rule 424(b)(4), 3/7/97	FTC0012126 - 0012202	FTC
CX 542	Memo re C.V. Business Development Meeting (3/3/97), 3/10/97	SP020703 - 020705	Schering-Plough
CX 543	Phone call re Niaspan, 3/13/97	SP002776 - 002777	Schering-Plough
CX 544	Memo re Product Assessment, 3/14/97	Schering-Plough White Paper EX. 0000208 - 0000210 FTC0001405 - 0001407	Schering-Plough
CX 545	Reactions to a Novel Niacin Agent	SP002772 - 002775	Schering-Plough
CX 546	Memo re Niaspan Opportunity, 3/26/97	SP002770 - 002771	Schering-Plough
CX 547	Handwritten notes, 4/9/97	SP002764 - 002769	Schering-Plough
CX 548	Niaspan Financial Analysis, 4/17/97	SP002737 - 002742	Schering-Plough
CX 549	Niaspan Financial Analysis, 4/17/97	SPCID2 1A00049 - 00052	Schering-Plough
CX 550	Ray's Forecast - Base	SP002743 - 002745	Schering-Plough

Exhibit No.	Document Description	Document No.	Source
CX 551	Niaspan Financial Analysis, 4/17/97	SP002731 - 002736	Schering-Plough
CX 552	Handwritten notes, 4/25/97	SP002728 - 002730	Schering-Plough
KOS (Continued)			
CX 553	<i>Handwritten notes</i> , Conference Call between Kos and Schering concerning possible Niaspan business venture; taken by Mukesh Patel (Kos); 4/25/97.	AAA0000151 - 0000152	KOS
CX 554	<i>Memo and attached draft proposal</i> , Subject: Niaspan, draft proposal for Schering/Kos deal; to Dave Heatherman (Kos); from Ray Russo; 5/15/97.	AAA0000153 - 0000157	KOS
CX 555	Memo re Niaspan, 5/15/97	SP002723	Schering-Plough
CX 556	<i>Handwritten notes</i> , last conference call between Schering (Gast and Russo) and Kos to discuss Niaspan business venture; recorded by Mukesh Patel (Kos), 5/21/97.	AAA0158	KOS
CX 557	Phone call re Conference call, 5/21/97	SP002721 - 002722	Schering-Plough
CX 558	Memo re KOS' Niaspan, 6/9/97	SP002719 - 002720	Schering-Plough
CX 559	Phone call re Status?, 7/15/97	SP002718	Schering-Plough
CX 560	Project Information	SP020706	Schering-Plough
CX 561	Memo re Niacin SR - Discussion guide for use with HMO Formulary decision makers, 8/22/94	SPCID2 1A00102 - 00106	Schering-Plough
CX 562	Hypercholesterolemia focus groups with physicians; Discussion Guide	SPCID2 1A00098 - 00100	Schering-Plough
CX 563	Memo re review of the Niaspan NDA Integrated Summary, 6/30/94	SP002849 - 002863	Schering-Plough
CX 564	Memo re Kos generic ISMN, 6/16/98	SP002986	Schering-Plough
CX 565	Sustained-released Niacin	SP002824	Schering-Plough
CX 566	KOS/Upsher-Smith agreements, 2/7/97; and letter Bell to Troup, 1/27/97, to settle KOS/Upsher-Smith patent issues	USL11367 - 11418	Upsher-Smith
CX 567	<i>Letter</i> , Subject: Terms of possible Niaspan license agreement; to Ian Troup; from Daniel Bell (Kos); 1/31/97.	AAA0000346 - 0000347	KOS
CX 568	Letter re License Agreement with KOS , 2/7/97	Upsher-Smith-FTC-145284 - 145304	Upsher-Smith
CX 569	<i>Letter</i> , "Re: License Agreement dated February 7, 1997 between Kos ...and Upsher-Smith"; 7/11/97.	AAA0000378 - 0000379	KOS

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CX 570	<i>Letter</i> , Subject: Patent stance in Kos-Upsher license agreement; to Rodney Bell (Holland & Knight); cc: Paul Kralovec; from Cecil Schmidt (Merchant & Gould); 7/22/97.	AAA0000380	KOS
CX 571	<i>Letter</i> , Subject: Acrimony regarding patent issues; to Ian Troup, cc: Paul Kralovec; from Dan Bell (Kos); 7/24/97.	AAA0000381	KOS
KOS (Continued)			
CX 572	<i>Letter</i> , Subject: Niaspan license agreement- patent issues, to Dan Bell (Kos); from Ian Troup; 7/30/97.	AAA0000382 - 0000383	KOS
CX 573	<i>Letter</i> , Subject: patent “boundaries” in Niaspan license agreement; to Ian Troup; from Dan Bell (Kos); 8/11/97.	AAA0000384	KOS
CX 574	Letter re Our ref: M&G 1866J09-US-LA, 8/19/97	USL09122 - 09123	Upsher-Smith
CX 575	Letter re C.V. Business development Subcommittee Meeting (May 13, 1997)	SP020724 - 020725a	Schering-Plough
CX 576	A Qualitative Evaluation Of The Opportunity For Niaspan In Multiple Lipid Disorders Telephone Interviews With Lipid Specialists (4/97)	SP020707 - 020723	Schering-Plough
CX 577	Phone Call re Niaspan, niacin, 3/13/97	SPCID2 1A00109 - 00110	Schering-Plough
CX 578-592	RESERVED		
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CX 593	Letter re petition requesting the FDA to amend regulation controlling the effective approval dates of certain Abbreviated New Drug Applications, 3/3/97	FTC0022341 - 0022360	FDA
CX 594	Letter re Info of developments in implementation of the Drug Price and Patent Term Restoration Act of 1984, 7/29/88	FTC0022361 - 0022366	FDA
CX 595	Letter re 180-day exclusivity provisions from FDA, 6/18/97	FTC 0021577 - 0021579	FDA
CX 596	Granutec, Inc. v. Health and Human Services, et al., Order (Zantac), 7/10/97	FTC 0021585 - 0021586	FTC
CX 597	Abbreviated new Drug Application Regulations; Patent and Exclusivity Provisions; Final Rule, 10/3/94	FTC0022367 - 0022370	FTC
CX 598	Guidance for Industry Court Decisions, ANDA Approvals, and 180-Day Exclusivity Under the Hatch-Waxman Amendments to the Federal Food, Drug, and Cosmetic Act, 3/00	FTC0021770 - 0021777	FTC
CX 599	General Docket US Court of Appeals for the DC Circuit filings, 3/26/97	FTC0021778 - 0021779	FTC

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CX 600	F-D-C reports Prescription Pharmaceuticals and Biotechnology, 1/20/97	FTC0021780 - 0021781	FTC
CX 601	F-D-C reports Prescription Pharmaceuticals and Biotechnology, 5/26/97	FTC0021689 - 0021690	FTC
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CX602	Letter to Lipha Pharmaceuticals from Douglas Sporn re approval for Ranitidine Tabs USP, 150 mg and 300mg, 6/17/97	FTC0021735 - 0021739	FTC
CX 603	The Wall Street Journal NOVOPHARM LTD.: Generic version of Zantac is to be sold in US, 7/7/97	FTC0021788	The Wall Street Journal
CX 604	The Wall Street Journal FDA Ruling Snarls Race to Introduce Generic Ulcer Drug, 6/23/97	FTC0021785	The Wall Street Journal
CX 605	F-D-C reports Prescription Pharmaceuticals and Biotechnology, 6/23/97	FTC0021786 - 0021787	FTC
CX 606	The Wall Street Journal NOVOPHARM LTD.: Generic version of Zantac is postponed, 7/10/97	FTC0021784	The Wall Street Journal
CX 607	Federal Register Rules and Regulations, 11/28/97	FTC0021789 - 0021790	FTC
CX 608	Federal Register Rules and Regulations, 11/5/98	FTC0021791 - 0021793	FTC
CX 609	Letter to Upsher-Smith from FDA re abbreviated new drug application for Klor-Con M20, 11/24/98	USL07699 - 07700 FTC0021594 - 0021595	Upsher-Smith
CX610	Memo to Ian Troup from Mark Robbins re November Scientific Affairs Monthly Report, 12/2/98	USL16419	Upsher-Smith
CX 611	Letter to Upsher-Smith from FDA re abbreviated new drug application for Klor-Con M20, 1/28/99	USL07067 - 07068 FTC0021592 - 0021593	Upsher-Smith
CX 612	Letter, Re: abbreviated new drug application for Potassium Chloride extended release tablets USP, 1500 mg; faxed to ESI Lederle, Inc.; from Bonnie McNeal, 5/12/99.	AHP13 00065 - 00068 FTC0021587 - 0021590	AHP
CX 613	Letter re citizen petition dated 8/9/00, 2/6/01	FTC0021794 - 0021801	FTC
CX 614	“Antitrust Issues in Settlement of Pharmaceutical Patent Disputes”, 11/3/00	FTC0021564 - 0021576	FTC
CX 615	Inside Washington’s FDA Week Customs asks FDA to pre-approve purchases of foreign drugs, 5/25/01	FTC0021802 - 0021804	FTC

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CX 616	Press Release FTC Charges Schering-Plough over Allegedly Anticompetitive Agreements with Two Other Drug Manufacturers, 4/2/01	FTC0021805 - 0021808	FTC
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CX 617	<i>Letter</i> ; Subject: possible business venture for generic K- Dur 20 mEq; to Ian Troup; bcc: L. Alaburda; from Michael Dey; 8/14/96.	105 DOC1000005	AHP
CX 618	<i>Fax cover sheet and attached FDA Guidelines</i> , "Guidance for Industry, 180-Day Generic Drug Exclusivity Under the Hatch-Waxman Amendments to the Federal Food, Drug, And Cosmetic Act"; to Egon Berg; from Don Beers (Arnold & Porter); 6/23/98.	501 DOC002272 - 002278	AHP
CX 619	<i>Correspondence</i> , ESI e-mail and FDA deficiency letter for ANDA 74-812 of KCL 20 mEq; 4/14/97 and 5/15/97.	203 DOC000001 - 000004	AHP
CX 620	Memo re Mova and Granutec Decisions, 4/24/98	SP002632 - 002635	Schering-Plough
CX 621	Memo re ANDA Exclusivity, 8/6/99	USL08785 - 08788	Upsher-Smith
CX 622	Klor-Con M Team Meeting, 10/14/99	Upsher-Smith-FTC-088473 - 088507	Upsher-Smith
CX 623	Letter to Upsher-Smith from Douglas Sporn re 11/20/98 approval for Klor-Con M20	Upsher-Smith-FTC- 123129 - 123130	Upsher-Smith
CX 624-632	RESERVED		
CX 633	Letter to Czaban and Levitt from Jaffe re request for amendment of ANDA, 3/3/97	FTC0021740 - 0021759	FTC
CX 634	Letter to all NDA and ANDA Holders and applicants from FDA, 7/29/88	FTC0021760 - 0021765	FTC
CX 635	Federal register, ANDA; Patent Exclusivity provisions; Final Rule, 10/3/94	FTC0021766 - 0021769	FTC
CX 636	F-D-C reports, 5/26/97	FTC0021782 - 0021783	FTC
CX 637-645	RESERVED		
RESPONDENTS' WHITE PAPERS AND EXPERT REPORTS			
CX 646	Response to Specs 1-10, undated	ESILederle-AHP0000019 - 0000022	AHP/ESI
CX 647	Patent License Application, regular Utility Form PTO-436, 02/19/86	USL PLD001572 - 001659	Upsher-Smith
CX 648	1998 PDR listing for Mevacor	FTC0021685 - 0021688	FTC
CX 649	Ethocel applications, Banker EX. 4	FTC0021691	FTC

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CX 650	Ethocel Premium Polymers, Banker EX. 3	FTC0021692 - 0021704	FTC
CX 651	Memo to Key product managers from Steve Lindquist re 1996 Product Promotion, 2/14/96	SP018282 - 018283	Schering-Plough
RESPONDENTS' WHITE PAPERS AND EXPERT REPORTS (Continued)			
CX 652	Memo to David Stout from Marty Driscoll re Key Plus Plan request, 6/8/95	SP018284 - 018320	Schering-Plough
CX 653	Memo to R. Baldini, M. Driscoll from S. Linquist re 1995 Key Monthly Sales Forecast, 6/7/95	SP018321 - 018365	Schering-Plough
CX 654	Memo to Greg Birch from Joann Androconis re Product Performance, 5/22/95	SP018366 - 018382	Schering-Plough
CX 655	1995 Key Plus Plan Discussion, 5/23/95	SP018383 - 018398	Schering-Plough
CX 656	Memo to Distribution from Eileen Gaeta re 1995 L.E. Rebates Revision, 4/25/95	SP018399 - 018421	Schering-Plough
CX 657	Memo to R. Baldini, M. Driscoll from S. Linquist re 1995 Key Monthly Sales Forecast, 5/4/95	SP018422 - 018426	Schering-Plough
CX 658	Memo to Ray Russo from Kathleen Taylor re Nursing Home Plus Plan, 4/21/95	SP018427 - 018444	Schering-Plough
CX 659	Key Pharmaceuticals 1995 Plus Plan Spending, 5/3/95	SP018445 - 018462	Schering-Plough
CX 660	Memo to Driscoll from Russo re Cardiovascular Plus Plan Summary, 5/3/95	SP018463 - 018472	Schering-Plough
CX 661	Key/Managed Care - Optimizing the Opportunity	SP018473 - 018474	Schering-Plough
CX 662	Cardiovascular Disease Management Presentation Outline	SP018475 - 018482	Schering-Plough
CX 663	Memo to Distribution from Brian Longstreet re Sales/Pricing Trend Analysis in Managed Care (1991-1995), 3/21/95	SP018483 - 018505	Schering-Plough
CX 664	Memo to Distribution from Charlie Scammell re Key Managed Care Pricing Guidelines, 4/28/95	SP018506 - 018509	Schering-Plough
CX 665	Memo to DeJesus, DeLuca, Ford, Huff, and Suri from Joann Androconis re Managed Care Plans Contract Status Summary, 8/15/95	SP018510 - 018535	Schering-Plough
CX 666	Memo to Ray Russo from Steve Keogh re 1994 Major Account Sales and Rebate Figures for Imdur, K-Dur, Nitro-Dur, Lotrisone, Normodyne, and Vanceril, 6/15/95	SP018536 - 018560	Schering-Plough
CX 667	Key Pharmaceuticals Prescription Report for April 1995	SP018571 - 018598	Schering-Plough
CX 668	Memo to Distribution from Greg Novello re Pipeline Data graphs April 1995, 5/22/95	SP018599 - 018619	Schering-Plough

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CX 669	Key K-DUR Data from 2/94 through 1/95	SP018620 - 018659	Schering-Plough
CX 670	E-mail to D'ambrosio and Weintraub from Dan Valerio re Potassium Chloride labeling, 6/12/01	SP018660	Schering-Plough
RESPONDENTS' WHITE PAPERS AND EXPERT REPORTS (Continued)			
CX 671	New Product Launch Procedure, Potassium Chloride Tablets, Launch date 9/4/01, 5/30/01 - Valerio	SP018661 - 018662	Schering-Plough
CX 672	Potassium Chloride/K-Dur Tabs, 12 Month Forecast, \$/Units, 5/9/01	SP018663	Schering-Plough
CX 673	Potassium Chloride/K-Dur Tabs, 12 Month Forecast, \$/Units, 5/3/00	SP018664 - 018672	Schering-Plough
CX 674	Schering-Plough, Package design/Component RIC Request, Potassium Chloride Tabs, Effective date 3/15/96, date received 1/16/96	SP018673 - 018677	Schering-Plough
CX 675	Potassium Chloride, USP Extended Release Tabs, Label - Warrick, 2/00	SP018678 - 018681	Schering-Plough
CX 676	Shipment of Potassium Chloride, USP Extended Release Tabs Labels to Paxton Advertising from Schering, 2/16/00	SP018682 - 018686	Schering-Plough
CX 677	E-mail to Dan Valerio from Linda Dytrych re Potassium Chloride, 2/7/00	SP018687 - 018693	Schering-Plough
CX 678	Packaging Approval Routing List for Potassium Chloride Tabs, 1/30/96	SP018694 - 018700	Schering-Plough
CX 679	Package Component Specification for LBL PS ROL Potassium CH TB 10 MEQ 100, RIC No. 18983907, Schering Labs, 6/27/96	SP018701 - 018704	Schering-Plough
CX 680	E-mail from Richard Pipala to Raman kapur re Generic K-Dur, 2/4/00	SP018705	Schering-Plough
CX 681	K-Dur, 20 MEQ only not 10 MEQ, Warrick is user, 3/16/98	SP018706 - 018713	Schering-Plough
CX 682	Risk Authorization, Warrick K-Dur, 3/27/97 - Kapur	SP018714 - 018718	Schering-Plough
CX 683	Letter to R. Pipala from L. Manfredi re Warrick Contingency Plan for Potassium Chloride ER Tabs, 2/26/97	SP018719 - 018721	Schering-Plough
CX 684	K-Dur Potassium Chloride Tabs, Warrick 12 Month Forecast, 2/26/97	SP018722 - 018723	Schering-Plough
CX 685	Standard Costs, K-Dur Potassium Chloride Tabs, Warrick 12 Month Forecast, 2/26/97	SP018724 - 018730	Schering-Plough
CX 686	Chris DiLascia, K-Dur notes, 2/25/97	SP018731 - 018732	Schering-Plough

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CX 687	Fax to Lou Manfredi from Vin Core re K-Dur Tabs 10 and 20 MEQ data 2/11/97, 2/25/97	SP018733 - 018737	Schering-Plough
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CX 688	U.S. Pharmaceutical Market: Drugstore & Non-Retail Purchases, 60000 Nutrients and Supplements, 2/84	SP018738 - 018743	Schering-Plough
CX 689	Schering-Plough Financial Manual, Acquisition/Divestiture joint venture and licensing proposals, Financial and Capital Planning , issued 9/1/96 and replaces 6/30/94 - Sponser: Wassertein and Authorized: D' Andrade	SP018744 - 018755	Schering-Plough
CX 690	Settlement and License Agreement between Schwarz Pharma, Inc. and Key Pharmaceuticals, Inc., 3/8/01 and 2/27/01	SP018756 - 018765	Schering-Plough
CX 691	License Agreement between Hercon Labs Corp. and Key Pharmaceuticals, Inc., 3/13/00	SP018766 - 018779	Schering-Plough
CX 692	Memo to Distribution from Toni DeMola re US New Product Team Tracking Report, 8/22/97	SP018782 - 018789	Schering-Plough
CX 693	Pricing Analysis for the Key products from Toni DeMola to Rich Zahn, 8/21/97	SP018790 - 018794	Schering-Plough
CX 694	Schering-Plough 2000 Annual Report	SP018795 - 018834	Schering-Plough
CX 695	Quartely Product Margin Report by Brand, 4 th Quarters 1995, \$, 3 K-DUR, 2/20/96	SP020696 - 020702	Schering-Plough
CX 696	Memo to Lauda from Estok re Genentech Psoriasis-Pricing Models, 8/15/00	SP058801 - 058810	Schering-Plough
CX 697	Genentech ant-cd11, 3/10/00	SP058854	Schering-Plough
CX 698	Memo to Lauda from Mackey re Sankyo's Olmersartan US Corp Opprtunity, 3/21/01	SP059710 - 059715	Schering-Plough
CX 699	E-mail from bette Schultz to Kathleen Madison re Olmersartan issues, 3/22/01	SP059774 - 059776	Schering-Plough
CX 700	E-mail to Kathleen Madison from Bette Schultz re Olnersarten Revised Forecast, 3/15/01	SP059783 - 059796	Schering-Plough
CX 701	Memo from Mackey to Androconis, Makey, Petitt, Russo, and Schultz re Olmersartan P & Ls, 2/14/01	SP059860 - 059865	Schering-Plough
CX 702	E-mail to Kathleen Madison from Bette Schultz re Olmersartan Revised Forecast, 2/8/01	SP059877 - 059884	Schering-Plough
CX 703	E-mail from Richard Chipkin to Gilda Clayton re Qvar, 1/31/01	SP060155 - 060162	Schering-Plough

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CX 704	E-mail to Gilda Clayton from Richard Chipkin re Proposal on co-marketing of Qvar and Airmir from Dainippon, 1/2/01	SP060174 - 060178	Schering-Plough
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CX 705	Memo from John Lund to Profit Performance Team re PPT Meeting, 7/18/97, 7/11/97	USL00937 - 00963	Upsher-Smith
CX 706	Meeting Notes from the timeline meeting for Klor-Con M20 on 4/29/97	USL06734 - 06735	Upsher-Smith
CX 707	Letter to Ian Troup from Michael Dey re discussion of possible business arrangement for generic version of K-Dur 20 mEq, 8/14/96	USL08682 - 08683	Upsher-Smith
CX 708	Economic Analysis of the Key/ESI Patent Settlement, Carl Shapiro, 3/20/	FTC0022213 - 0022223	Key
CX 709	Respondent Schering's Statement of the case involving Schering and Upsher-Smith,	FTC0022201 - 0022212	Schering
CX 710	Upsher-Smith's responses to Complaint Counsel's First Set of Interrogatories, 10/22/01	FTC0020535 - 0020548	Upsher-Smith
CX 711	Upsher-Smith's objections and response to FTC CID issued 8/18/00	Upsher-Smith 0000774 - 0000786	Upsher-Smith
CX 712	Upsher-Smith's objections and response to FTC CID issued 8/18/00, 9/29/00	Upsher-Smith 0000794 - 0000893	Upsher-Smith
CX 713	Final Clinical/Statistical Report, Niacor-SR/Niacin, 4/21/97	Upsher-Smith-FTC- 102865 - 102967	Upsher-Smith
CX 714	Protocol Synthesis for Niacor-SR/Fluvastation study, 6/12/97	SP16 00059 - 00060	Schering-Plough
CX 715	Schering's supplemental response to complain counsel's first set of interrogatories, 12/7/01	FTC0021837 - 0021862	FTC
CX 716	Infringement Opinion Regarding U.S. Patent No. 5,397,574 (Assigned to Andrx Pharm., Inc.); Opinion Letter, 7/3/97	USLP0164 - 0174	
CX 717-736	RESERVED		
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CX 737	Hatch-Waxman Act	FTC0021620 - 0021641	FTC
CX 738	Memo to Troup and Evenstad re Pierre Fabre Presentation- 6/3/97, 6/12/97	USL13187	Upsher-Smith
CX 739	Klor-Con M20, 7/97	USL06751	Upsher-Smith
CX 740	K-Dur 20, Key Pharmaceuticals, a division of Schering Plough	USL06759	Upsher-Smith

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CX 741	Market assumptions re Klor-Con and K-Dur, Dolan	USL06784	Upsher-Smith
CX 742	Assumptions regarding M20	USL07073 - 07075	Upsher-Smith
CX 743	Dolan, 20 mEq assumptions for the projections, 4/30/97	USL08541 - 08544	Upsher-Smith
CX 744	Potassium Chloride (20mEq) Market Forecast recap	AHP13 00029	AHP
CX 745	Letter to Anthony Herman from Paul Heller re information on ESI's projections for settlement discussion, 9/24/97	AHP13 00008 - 00009	AHP
CX 746	Memo to DiLascia from Androconis re K-Dur marketing research backgrounder, 7/1/96	SP23 00369 - 00394	Schering-Plough
CX 747	1998 K-Dur Marketing Plan, DiLascia, 8/1/97	SP23 00087 - 00110	Schering-Plough
CX 748	Pharmaceutical Operations Sales, 1997-2001, 6/5/97	SP23 00307 - 00315	Schering-Plough
CX 749	Marketing Strategies/Action Plan for K-Dur	SP23 00010 - 00011	Schering-Plough
CX 750	Pharmaceutical Operations Sales, 1997-2001, 6/5/97	SP23 00307aa	Schering-Plough
CX 751	Expert Report of Professor Timothy Bresnahan	FTC0020353 - 0020433	Bresnahan
CX 752	Expert Report of Joel E. Hoffman	FTC0022224 - 0022248	Hoffman
CX 753	Expert Report of Nelson Levy, Ph.D.	FTC0020502 - 0020534	Levy
CX 754	Expert Report of Professor Martin J. Adelman, 11/14/01	FTC0021407 - 0021506	FTC
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CX 758	Rebuttal Expert Report of Dr. Christopher T. Rhodes n the non-infringement of U.S. patent no. 4,863,743, 1/97	USL EXH018620 - 018651	ESI
CX 759	Rebuttal Expert Report of Dr. Lawrence H. Block, 1/17/97	USL EXH018878 - 018914	ESI
CX 760	Expert Report of Umesh V. Banakar, Ph.D., 11/15/01	FTC0021648 - 0021684	FTC
CX 761	Appendix to Memo of Key Pharmaceuticals' in opposition to Upsher's motion foe summary judgement of non-infringement, Key v. Upsher-Smith, 1/10/97	USL PLD002464 - 002759	ESI
CX 762	Levy Background info	FTC0015138 - 0015140	FTC
CX 763	"Drugs Used In The Treatment Of Hyperlipoproteinemias", Goodman & Gilman 7 th Edition	FTC0015001 - 0015002	FTC

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CX 764	International Application Published Under The Patent Cooperation Treaty (PCT), 9/11/98	FTC0015003 - 0015006	FTC
CX 765	Combinations of HMG-CoA Reductase Inhibitors and Nicotinic Acid Compounds and Methods for Treating Hyperlipidemia once a day at night	FTC0015007	FTC
CX 766	International Application Published Under The Patent Cooperation Treaty (PCT), 9/11/98	FTC0015008	FTC
CX 767	“Schering-Plough, Merck Forge Pact,” Yahoo.com, 5/23/00; “Drug Makers Pair Up to Fight Key Patent Losses,” 5/24/00	FTC0015009	FTC
CX 768	Schering-Plough, Merck forge pact to develop new drugs, 5/24	FTC0015010	FTC
CX 769	<i>Handwritten notes</i> , meeting between Schering and Kos to discuss possible Niaspan business venture; recorded by Mukesh Patel (Kos); 4/9/97.	AAA0150	KOS
CX 770	Company Report, 9/22/97	SP13 00849 - 00854	Schering-Plough
CX 771	Letter to Pettit re Secrecy agreement for Niacor-SR, 2/28/97	USL11496 - 11498	Upsher-Smith
CX 772	Fax to JAn Crawford from Pettit re Niacor-SR, 3/3/97	USL11499	Upsher-Smith
CX 773	Letter to Pettit re amendments of agreement, 3/4/97	USL11500	Upsher-Smith
CX 774	Fax to O’Neil from Pettit re licensing considerations, 5/22/97	USL11561 - 11567	Upsher-Smith
CX 775	Memo to Troup from Halvorsen re Pierre Fabre Presentation-6/3/97, 6/11/97	USL11810 - 11811	Upsher-Smith
CX 776	“The Kos is clear; experienced cholesterol marketing warriors flocking to Kos”, Jerry Treppel, 7/1/97	USL11868	Upsher-Smith
CX 777	Upsher’s presentation to TCF	USL12391 - 12394	Upsher-Smith
CX 778	Niacin Franchise; Niacor-SR, 7/97	USL15530 - 15537	Upsher-Smith
CX 779	Fax to Oliver LeFevre from O’Neil re Niacor-SR info, 11/25/97	USL21232 - 21238	Upsher-Smith
CX 780	Memo to Kapur from Audibert re Upsher Smith Update, 8/21/97	SP16 00236	Schering-Plough
CX 781	Memo to Cesan from Kapur re upsher product licensing deal, 7/2/97	SP18 00004	Schering-Plough
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CX 783	Niacin info, 3/2/94	FTC0015038 - 0015046	FTC

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CX 784	Evenstad et al. U.S. patent filed 6/11/90, 6/30/92	FTC0015011 - 0015023	FTC
CX 785	O'Neil et al. U.S. Patent filed 6/29/92, 12/7/93	FTC0015024 - 0015037	FTC
CX 786	Fax to Hoffman, Thompson, and Wassertein from Kapur re Upsher-Smith modifications to amended agreement, 7/30/97	SP12 00075 - 00110	Schering-Plough
CX 787	Collaboration and license agreement between Neurogen Corp., Schering Corp., and Schering-Plough LTD., 6/28/95	Schering-Plough0000180 - 0000253	Schering-Plough
CX 788	Exclusive license and supply agreement between ICN Pharmaceuticas, Inc. and Schering-Plough LTD., 7/28/95	Schering-Plough0000254 - 0000389	Schering-Plough
CX 789	Distribution Agreement between Centocor, Inc. and Schering-Plough LTD., 4/3/98	Schering-Plough0000422 - 0000560	Schering-Plough
CX 790	Co-Promotion agreement between Bristol-Meyers Squibb Co. and Schering Sales Management, Inc.,	SPCID00537 - 00630	Schering-Plough
CX 791	Letter to Troup from Kapur re Settlement agreement between Upsher and Schering , 6/17/97	Schering-Plough0000002 - 0000012	Schering-Plough
CX 792	RESERVED		
CX 793	Memo of Schering-Plough to the Bureau of Competition and the Bureau of Economics of the FTC concerning File no. 9910256, 12/22/00	FTC0022001 - 0022076	Scheing-Plough
CX 794	White Papers of Upsher-Smith	FTC0022077 - 0022158	Upsher-Smith
CX 795	R. Diccio Expert Report Revised Exhibit 3, Valuation of Upsher-Smith/SP License (\$ in millions)	FTC0021870 - 0021873	FTC
CX 796	Letter to Vickie O'Neil from Desiree Malanga, re: executed confidentiality agreements, 1) Warrick & Upsher, 2) Schering & Upsher, 4/20/98	SP12 00005 FTC0021874	Schering-Plough FTC
CX 797	Memo to IND #37,984, Niacor-SR from Harvey Arbit and Dianne Gibbs, re: Minutes of FDA Meeting 6/24/92, 7/8/92	Upsher-Smith-FTC- 095050 - 095055	Upsher-Smith
CX 798	Expert Report of Zola Horovitz, Horovitz EX. 1, 10/8/01	FTC0021880 - 0021907	FTC
CX 799	Expert Report of Walter Bratic, Bratic EX. 1, 10/8/01	FTC0021908 - 0021956	FTC
CX 800	Expert Report of Richard DiCicco, DiCicco EX. 3, 10/8/01	FTC0021957 - 0021968	FTC
CX 801	Expert Report of Kenneth McVey, McVey EX. 1, 10/8/01	FTC0021969 - 0021999	FTC
COMPLAINT COUNSEL'S EXPERTS (Continued)			
CX 802	Memo of Schering to the FTC, re: file 9910256, 3/23/01	FTC0020549 - 0020600	FTC
CX 803	Rebuttal Report of Professor Timothy Bresnahan	FTC0022416 - 0022434	FTC
CX 804-833	RESERVED		

Exhibit No.	Document Description	Document No.	Source
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SEARCH FOR EUROPEAN PARTNER THROUGH MORETON

CX 834	Letter re Identifying a Niacor-SR European partner, 11/18/96	USL11047 - 11061	Upsher-Smith
CX 835	Letter re Assignment Letter, 1/10/96	USL11336 - 11356	Upsher-Smith
CX 836	Letter re change to the "Product Summary" section, 1/13/97	USL11357 - 11358	Upsher-Smith
CX 837	Preliminary Information Memo; DRAFT	USL11359 - 11365	Upsher-Smith
CX 838	Upsher's Confidential Disclosure Niacor-SR	Upsher-Smith-FTC-094106 - 094136	Upsher-Smith
CX 839	Upsher's Niacor-SR Contact Summary, 2/3/97	USL09120 - 09121	Upsher-Smith
CX 840	Fax re Visit to Europe, 4/21/97	USL11510 - 11512	Upsher-Smith
CX 841	Upsher's Niacor-SR Contact Summary, 4/21/97	USL13148 - 13150	Upsher-Smith
CX 842	UPSHER-SMITH Labs Niacor-SR Contact Summary Updated 4/14/97	USL11501 - 11503	Upsher-Smith
CX 843	Upsher's Niacor-SR Contact Summary, date illegible	USL11507 - 11509	Upsher-Smith
CX 844	Fax re Schering declining opportunity for new lipid lowering product, 2/4/97	USL09099 - 09100	Upsher-Smith
CX 845	Fax re Possible corporate partnership with Upsher, Niacor-SR, 2/4/97	USL09102	Upsher-Smith
CX 846	Letter re Niacor-SR rejection, 1/21/97	USL09110	Upsher-Smith
CX 847	Letter re Niacor-SR rejection, 1/21/97	USL09111	Upsher-Smith
CX 848	Fax re New European Licensing Opportunity-Niacor SR, 1/27/97	USL09107	Upsher-Smith
CX 849	Letter re New European Licensing Opportunity-Niacor SR, 1/22/97	USL09113	Upsher-Smith
CX 850	Fax re Niacor-SR rejection, 2/28/97	USL09089	Upsher-Smith
CX 851	Fax re Niacor-SR rejection, 2/3/97	USL09118	Upsher-Smith
CX 852	Fax re Niacor-SR rejection, 2/3/97	USL09117	Upsher-Smith
CX 853	Fax re Niacor-SR rejection, 1/31/97	USL09097	Upsher-Smith

SEARCH FOR EUROPEAN PARTNER THROUGH MORETON (Continued)

CX 854	Fax re Niacor-SR rejection, 2/28/97	USL09090	Upsher-Smith
CX 855	Fax re Niacor-SR rejection, 2/7/97	USL09115	Upsher-Smith
CX 856	Letter re Niacor-SR rejection, 4/9/97	USL09086 - 09088	Upsher-Smith
CX 857	Fax re Niacor-SR rejection, 3/4/97	USL09091	Upsher-Smith

Exhibit No.	Document Description	Document No.	Source
CX 858	Letter re Niacor-SR rejection, 2/3/97	USL09119	Upsher-Smith
CX 859	Fax re Niacor-SR rejection, 2/3/97	USL09104	Upsher-Smith
CX 860	Fax re Niacor-SR rejection, 1/22/97	USL09114	Upsher-Smith
CX 861	Letter re Niacor-SR rejection, 1/22/97	USL09096	Upsher-Smith
CX 862	Letter re Niacor-SR rejection, 2/25/97	USL09092	Upsher-Smith
CX 863	Letter re Niacor-SR rejection, 2/7/97	USL09116	Upsher-Smith
CX 864	Fax re Niacor-SR rejection, 2/4/97	USL09098	Upsher-Smith
CX 865	Letter re Niacor-SR rejection, 2/4/97	USL09103	Upsher-Smith
CX 866	Fax re Possible partnership, 6/6/97	USL11803 - 11804	Upsher-Smith
CX 867	Fax re Nicotinic acid, 6/26/97	USL11865 - 11866	Upsher-Smith
CX 868	Memo re Esteve S.A. Presentation, 6/11/97	USL11812 - 11814	Upsher-Smith
CX 869	Letter to Vickie O'Neil from Joan Miro re Niacor-SR rejection, 9/29/97	USL11968	Upsher-Smith
CX 870	Fax to Vickie O'Neil from David Pettit re Pierre Fabre, Servier, and Dr. Esteve confirmed, 5/19/97	USL11559	Upsher-Smith
CX 871	Fax to Moreton from David Colpman re Niacor rejection, 3/13/97	Moreton0000477	Moreton
CX 872	Fax to David Petit from Manfred Foersch re Niacor rejection, 2/14/97	Moreton0000384	Moreton
CX 873	Fax to Moreton from Guy Vercauteren re Niacor opportunity, 2/5/97	Moreton0000385	Moreton
CX 874	Fax to David Petit from Ulf Ljungberg re Niacor rejection, 2/6/97	Moreton0000377	Moreton
CX 875	Fax to David Pettit from Gustav Trilsbach re Niacor rejection, 1/22/97	USL09108	Upsher-Smith
CX 876	Fax to Moreton from Baumann and Kluge re Niacor rejection, 1/22/97	USL09109	Upsher-Smith
SEARCH FOR EUROPEAN PARTNER THROUGH MORETON (Continued)			
CX 877	Fax to Moreton from Harenberg re Niacor rejection, 1/21/97	USL09105	Upsher-Smith
CX 878	Letter to David Pettit from Carine Himsworth re Niacor rejection, 1/21/97	USL09106	Upsher-Smith
CX 879	Business Cards	FTC0020180 - 0020186	FTC
CX 880	Memo re Lacer, S.A. Presentation - 6/5/97, 6/12/97	USL11827 - 11829	Upsher-Smith

Exhibit No.	Document Description	Document No.	Source
CX 881	Memo re Pierre Fabre Presentation - 6/3/97, 6/11/97	USL11825 - 11826	Upsher-Smith
CX 882	Fax re presentation on Pierre Fabre organization, 2/6/97	Moreton0000308	Moreton
CX 883	Memo re Servier Presentation - 6/6/97, 6/11/97	USL11808 - 11809	Upsher-Smith
CX 884	Memo re Lacer, S.A. Presentation - 6/5/97, 6/12/97	USL11832 - 11864	Upsher-Smith
CX 885	Niacor-SR overhead presentation, 5/28/97	USL11575 - 11650	Upsher-Smith
CX 886	Upsher-Smith presentation to Searle, 5/28/97	Upsher-Smith-FTC-190621 - 190683	Upsher-Smith
CX 887	Protocol Number 920115-D, 4/30/96	SP16 00141 - 00225	Schering-Plough
CX 888	Fax to O'Neil from Pettit re Contact list w/responses, 1/28/97	Moreton0000165 - 0000167	Moreton
CX 889-893	RESERVED		

EARLY TRIAL INFORMATION

CX 894	Adverse Reactions to Niacor-SR	Upsher-Smith-FTC-1003760 - 1003763	Upsher-Smith
CX 895	ClinTrials Research-Upsher-Smith Labs Meeting Notes, Study 920115, 5/12/95	Upsher-Smith-FTC-093255 - 093259	Upsher-Smith
CX 896	Fax re Discussion points , 10/22/96	Upsher-Smith-FTC-006179 - 006181	Upsher-Smith
CX 897	Data from Niacor SR protocol 920115	Upsher-Smith-FTC-004818 - 004983	Upsher-Smith
CX 898	Niacor SR overhead presentation	USL11712 - 11796	Upsher-Smith
CX 899	Fax from Anita Rackham to Harvey Arbit re Notes from FDA meeting 6/24/92, 6/25/92	Upsher-Smith-FTC-090141 - 090143	Upsher-Smith
CX 900	Letter to Enid Galliera from Harvey Arbit re request for meeting about Niacor-SR, 5/29/92	Upsher-Smith-FTC-090190 - 090191	Upsher-Smith
CX 901	Adverse Events of 900221-Attributed to study medication significant differences between treatment groups, 11/16/94	Upsher-Smith-FTC-161465 - 161469	Upsher-Smith
CX 902	Summary of Dropout Patients Physician Designation, 10/25/94	Upsher-Smith-FTC-161472 - 161473	Upsher-Smith

EARLY TRIAL INFORMATION (Continued)

CX 903	Niacor-SR Strategy Meeting Summary Notes between Upsher and Counsultants, 10/14/94	Upsher-Smith-FTC-161767 - 161770	Upsher-Smith
CX 904	Memo re Minutes of FDA Meeting on 11/16/94, 11/29/94	Upsher-Smith-FTC-161806 - 161811	Upsher-Smith
CX 905	Draft of Niacor preliminary study results, 9/26/94	Upsher-Smith-FTC-127059 - 127097	Upsher-Smith
CX 906	Letter to Robert Freeman from Anita Rackham re meeting notes with FDA 6/24/92, 5/19/94	Upsher-Smith-FTC-127098 - 127103	Upsher-Smith

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CX 907	USLNiacin Advisory Group, 4/16/97	Upsher-Smith-FTC-128572 - 128603	Upsher-Smith
CX 908	Regulatory Affairs Annual Report Information Request, 10/16/95	Upsher-Smith-FTC-168794 - 168889	Upsher-Smith
CX 909-913	RESERVED		
ADDITIONAL PK STUDY			
CX 914	Meeting Objectives -Upsher, 2/5/97	Upsher-Smith-FTC-107460 - 107463	Upsher-Smith
CX 915	Memo re January Clinical, Regulatory Affairs, and Quality Assurance Monthly Report, 2/5/97	Upsher-Smith-FTC-153541	Upsher-Smith
CX 916	Fax re Clinical Pharmacology and Biopharmaceutics Review, Niacor-SR, 3/26/97	Upsher-Smith-FTC-107456 - 107457	Upsher-Smith
CX 917	Letter re IND 37,984 - Niacor-SR Informational Amendment: Clinical, Minutes from 2/5/97 Meeting regarding Pharmacokinetics Issues and Request for Comment regarding Pharmacokinetics Study Protocol Serial Submission No. 088, 2/24/97	Upsher-Smith-FTC-107426 - 107455	Upsher-Smith
CX 918	Upsher's 7/17/97 Meeting Minutes with FDA regarding Niacor-SR, IND #37,984	Upsher-Smith-FTC-1033928 - 1033932	Upsher-Smith
CX 919-928	RESERVED		
MARKET REPORT			
CX 929	Niacor-SR Tablets (Extended-release niacin), 3/97	USL13130 - 13143	Upsher-Smith
CX 930	Niacin Franchise: Niacor-SR 7/97	USL13190 - 13197	Upsher-Smith
CX 931-945	RESERVED		
NIACOR SALES FORECASTS			
CX 946-960	RESERVED		
NIACOR TIMELINE			
CX 961	Memo re Niacor SR Plan Rev. 002, 3/27/97	Upsher-Smith-FTC-113325 - 113339	Upsher-Smith
CX 962	Niacor SR, 2/12/98	USL13251 - 13271	Upsher-Smith
CX 963	Kravolec Product Update 12/1/94 - 2/12/98	USL12577 - 12620	Upsher-Smith
CX 964	Niacor SR 8/14/97	USL09701 - 09875	Upsher-Smith
CX 965	1998 Project Planning Schedule	USL12820 - 12822	Upsher-Smith
CX 966-975	RESERVED		

Exhibit No.	Document Description	Document No.	Source
NIACOR LABELING			
CX 976	Niacor-SR package insert	Upsher-Smith-FTC-1003779 - 1003797	Upsher-Smith
CX 977	Memo re Niacor-SR Annotated Package Insert, 6/4/97	Upsher-Smith-FTC-077106 - 077126	Upsher-Smith
CX 978	Memo re Niacor-SR Labeling: Footnote Table IV, 6/19/97	Upsher-Smith-FTC-077105	Upsher-Smith
CX 979	Memo re Niacor-SR Annotated Package Insert, 6/21/97	FTC0022321 - 0022340	Upsher-Smith
CX 980	Niaspan Clinical Data Rev. 8/97	Upsher-Smith-FTC-1033909 - 1033913	Upsher-Smith
CX 981-990	RESERVED		
MARKET RESEARCH			
CX 991	Management of Hypercholesterolemia: Teleconference with Cardiologists and Primary Care Physicians, 10/96	USL12977 - 13002	Upsher-Smith
CX 992	Current Practices and the Role of Niacin in the management of High Cholesterol: Teleconference with Primary Care Physicians, 2/97	USL12904 - 12923	Upsher-Smith
CX 993-1017	RESERVED		
REPORTS ON CLINICAL STUDIES			
CX 1018	Protocol 920115 Final Clinical/Statistical Report, 12/5/97	Upsher-Smith-FTC-003492.01 - 003854	Upsher-Smith
CX 1019	Final Study Report of Protocol 920944, 5/13/98	Upsher-Smith-FTC-175676 - 175796	Upsher-Smith
CX 1020	Fax to Marge Garske from Claude Drobnos re Table of Patients with Notable Elevations in ALT or AST, Text Table 45, 10/31/97	Upsher-Smith-FTC-175976 - 175979	Upsher-Smith
CX 1021	Niacor-SR Protocol 920115 Safety Analysis- Introduction	Upsher-Smith-FTC-190689 - 190705	Upsher-Smith
CX 1022	Niacor-SR product description	USL11651 - 11711	Upsher-Smith
CX 1023	Niacor-SR product description	Upsher-Smith-FTC-094137 - 094199	Upsher-Smith
CX 1024	Physicians Desk Reference, PDR 55 th Edition, 2001	FTC 0021271 - 0021275	KOS
REPORTS ON CLINICAL STUDIES (Continued)			
CX 1025	Goodman & Gilman's The Pharmacological Basis of Therapeutics, ninth edition, McGraw Hill-Health Professions Division	FTC 0021276 - 0021279	FTC
CX 1026-1040	RESERVED		
SCHERING EVALUATION OF NIACOR			

Exhibit No.	Document Description	Document No.	Source
CX 1041	Memo Kapur to Audibert, Lauda transmitting Upsher confidentiality agreement for Niacor, 4/15/98	SP05 00026 - 00028	Schering-Plough
CX 1042	Niacor Information	SP16 00061 - 00112	Schering-Plough
CX 1043	Protocol Synopsis, Draft	SP16 00113 - 00140	Schering-Plough
CX 1044	Memo re Niacin, 6/17/97	SP16 00040 - 00047	Schering-Plough
CX 1045	Sales/Net from Niacor SR, Audibert to Kapur, 6/17/97	SP16 00231 - 00235	Schering-Plough
CX 1046	IMS Initial Data Cholesterol Reducing Agents, Audibert to Kapur, 6/20/97	SP16 00447 - 00452	Schering-Plough
CX 1047	Contact Report for KOS, Miami, 4/9/97	SP002746 - 002749	Schering-Plough
CX 1048	Niacor SR: Supplementary Information, Cholesterol/Triglic.Reduc.Prep. (B4A)-World-wide Sales, 6/23/97	SP16 00001 - 00005	Schering-Plough
CX 1049	PDR listing for Lipitor	FTC0021708 - 021711	FTC
CX 1050	“Drug Treatment of Lipid Disorders”, 8/12/99	FTC0021712 - 0021724	FTC
CX 1051	“Moderate Dose, Three-Drug Therapy with Niacin, Lovastatin, and Colestipol to Reduce Low-Density Lipoprotein Cholesterol<100mg/dl in Patience with Hyperlipidemia and Coronary Artery Disease”, 1997	FTC0021725 - 0021729	FTC
CX 1052	“Evaluating Niacin in its Various Forms”, 2000	FTC0021730 - 0021734	FTC
CX 1053	Memo to Distribution from Dave Grewcock re Review of SCH58235, Advisory Board Meeting held 1/24/97, 2/13/97	SP002900 - 002913	Schering-Plough
CX 1054-1473	RESERVED		
OTHER LICENSED PRODUCTS			
CX 1074	Memo re Updated Forecast-Upsher-Smith Products, 6/19/97	SP17 00001 - 00002	Schering-Plough
CX 1075	Fax re Schering Purchase requisition, 9/18/97	USL21254 - 21255	Upsher-Smith
OTHER LICENSED PRODUCTS (Continued)			
CX 1076	Letter from Vickie O’Neil to Bill Hisey re possible deal with IVAX Corp., 6/19/98	Upsher-Smith-FTC-1028254 - 1028255	Upsher-Smith
CX 1077-1086	RESERVED		
POST AGREEMENT			
CX 1087	Memo Kapur to Lauda, Cesan; project leader should brief on niacin Kapur for Troupe meetings, 7/2/97	SP16 00237	Schering-Plough

Exhibit No.	Document Description	Document No.	Source
CX 1088	Letter re confirmation that Upsher has suspended all research on Niacor-SR, 10/6/98	SP05 00004 - 00011	Schering-Plough
CX 1089	KOS Pharmaceuticals, Competitive Intelligence from IPO Docs, 8/1/97	USL13213 - 13214	Upsher-Smith
CX 1090	Memo re Niacor-SR, 8/12/97	Upsher-Smith-FTC-149892 - 149894	Upsher-Smith
CX 1091	Memo re Niacor-SR, 8/12/97	USL11937 - 11939	Upsher-Smith
CX 1092	Letter re protocols on Niacor, 8/21/97	SP002936 - 002940	Schering-Plough
CX 1093	Niacor-SR Urine PK Study	USL12363	Upsher-Smith
CX 1094	Nicor-SR, 9/22/97	USL11934 - 11936	Upsher-Smith
CX 1095	Niacor-SR Strategy meeting, 9/23/97	USL11946 - 11951	Upsher-Smith
CX 1096	Niacor-SR NDA Approval Strategy	USL13228 - 13239	Upsher-Smith
CX 1097	Nicor SR NDA approval strategy, 9/23/97	Upsher-Smith-FTC-153369 - 153392	Upsher-Smith
CX 1098	Memo re October Clinical, Regulatory Affairs, and Quality Assurance Monthly Report, 11/5/97	Upsher-Smith-FTC-153513	Upsher-Smith
CX 1099	Faxes Kapur to Audibert (11/7/97) and Kapur to Troupe (10/21/97) re delayed clinical data on Niacor-SR	SP05 00013 - 00014	Schering-Plough
CX 1100	Upsher 1998 Marketing Plans	USL16064 - 16158	Upsher-Smith
CX 1101	Correspondence from Paul Thompson to Troup re amendment agreement, 6/30/97	USL02008 - 02023	Upsher-Smith
CX 1102	Correspondence from Troup to Kapur re Royalty payment due to Upsher-Smith, 6/11/98	USL03221	Upsher-Smith
CX 1103	Correspondence from Troup to Kapur re modifications that need to be made to the amendment agreement, 7/29/97	USL11879 - 11911	Upsher-Smith
CX 1104	Correspondence from Troup to Kapur re Royalty payment due to U[sher-Smith , 6/11/98	SP12 00011 - 00012	Schering-Plough
CX 1105	E-mail frm Beni Krieger to Michael Heeney re ESI-Lederle Settlement, 6/29/?	SP049056 - 049074	Schering-Plough
POST AGREEMENT (Continued)			
CX 1106	Correspondence from Upsher-Smith to Douglas Sporn re ANDA 74-726; Klor Con M20 Amendment #010 Providing FDA Notification of Final Court Action	USL03172 - 03173	Upsher-Smith
CX 1107	Letter to Mark Robbins from Paul Berman re Patent Certification Notice 10 mEq Potassium Chloride Extended Release Tabs, USP, Upsher-Smith Labs-AANDA 74-726, Supplement 1, 6/27/00	Upsher-Smith-FTC- 122889 - 122891	Upsher-Smith

Exhibit No.	Document Description	Document No.	Source
CX 1108	Memo re December Clinical, Regulatory Affairs, and Quality Assurance Monthly Report, 1/7/98	Upsher-Smith-FTC-153499	Upsher-Smith
CX 1109	Memo re Monthly Report, 1/8/98	Upsher-Smith-FTC-153496	Upsher-Smith
CX 1110	Letter re Letter re confirmation that Upsher has suspended all research on Niacor-SR, 10/6/98	USL11985 - 11987	Upsher-Smith
CX 1111	Letter re confirmation that Upsher has suspended all research on Niacor-SR, 10/6/98	USL13275	Upsher-Smith
CX 1112	Memo re Niacor-SR, 9/25/98	SP002960 - 002961	Schering-Plough
CX 1113	Memo Audibert to Lauda, 9/25/98; Upsher-Smith not progressing NDA for Niacor	SP16 00057 - 00058	Schering-Plough
CX 1114	Letter re confirmation that Upsher has suspended all research on Niacor-SR, 10/6/98	SP16 00229 - 00230	Schering-Plough
CX 1115-1134	RESERVED		
EUROPEAN PRICING			
CX 1135	Zocor/Lipitor Price comparison, Red Book Update, 11/99	SP037680 - 037703	Schering-Plough
CX 1136	Memo re SCH 58235: Local Requirements for Establishing a Price, 1/11/99	SP002987 - 002988	Schering-Plough
CX 1137-1146	RESERVED		
OTHER SCHERING DEALS			
CX 1147	Schering Press Release-“Schering -Plough and Centocor announce international licensing agreement for Avakine Monoclonal Antibody”, 4/6/98	FTC0021867 - 0021869	Schering-Plough
CX 1148	E-mail re counter proposal from InterCardia on Bextra, 4/1/99	SP060360 - 060361	Schering-Plough
CX 1149	Memo re Fournier’s Lipidil (fenofibrate), 3/18/96	SP018835 - 018839	Schering-Plough
OTHER SCHERING DEALS (Continued)			
CX 1150	Schering-Plough/R.P. Scherer Corp. licensing agreement, 3/24/99	SPCID 00001 - 00089	Schering-Plough
CX 1151	Memo re Genentech/AntiCD11A, 3/28/00	SP058857	Schering-Plough
CX 1152	Proposed Deal Terms of a Development Market Collaboration between Schering and Genentech on hul 124	SP058864 - 058866	Schering-Plough
CX 1153	E-mail re Trosipium Chloride Licensing Opportunity, 6/25/01	SP053515 - 053525	Schering-Plough

Exhibit No.	Document Description	Document No.	Source
CX 1154	S-P's Second Proposal vs. J-Med's Proposal for Patent License	SP053817	Schering-Plough
CX 1155	Letter re US patent #6,051,585 rejection, 5/18/00	SP053818 - 053819	Schering-Plough
CX 1156	License Agreement covering grants of intellectual property from parents to partnership	SP018864 - 018890	Schering-Plough
CX 1157	E-mail re Project Café Update, 2/28/00	SP061267 - 061269	Schering-Plough
CX 1158	Memo re Settlement and License Agreement between Key and Mylan, 4/9/99	SP15 00001 - 00019	Schering-Plough
CX 1159	Letter re Leucomax, 10/17/00	SP051541 - 051546	Schering-Plough
CX 1160	Follow-up question on Zelmac	SP051051 - 051057	Schering-Plough
CX 1161	Memo re Zelmac Update, 7/5/00	SP051072 - 051074	Schering-Plough
CX 1162	Fax re Zelmac, 7/25/00	SP050934 - 050937	Schering-Plough
CX 1163	Letter re Schering's interest in deal with Novartis on Zelmac, 7/26/00	SP050908 - 050911	Schering-Plough
CX 1164	Summary of Olmesartan/Olmesartan HCTZ Co-promotion Proposed Agreement for discussion	SP059722	Schering-Plough
CX 1165	Memo re ICOS's Pafase, 1/29/01	SP053707 - 053712	Schering-Plough
CX 1166	E-mail re Pafase, 3/20/01	SP053697	Schering-Plough
CX 1167	Schering's Press release - "Schering-Plough and RIBI Immunochem Announce Distribution Agreement for Melacine Melanoma Vaccine", 3/16/98	FTC0021865 - 0021866	Schering-Plough
CX 1168	E-mail re Vapreotide, 1/17/00	SP049686	Schering-Plough
CX 1169	Schering's Press release - "Schering-Plough in Agreement with Zonagen for Worldwide Marketing Rights to Vasomax for Treatments of Male Erectile Dysfunction", 11/17/97	FTC0021863 - 0021864	Schering-Plough
OTHER SCHERING DEALS (Continued)			
CX 1170	Proposal to create a partnership with Merck and Company to develop and market cholesterol-lowering and allergy products, 2/14/00	SP021470 - 021546	Schering-Plough
CX 1171	Analysis of Product Alliances, transmittal 9/21/99	SP021547 - 021662	Schering-Plough
CX 1172	Ezetimibe, 7/01	SP040991 - 041020	Schering-Plough
CX 1173	Letter from Paul Hyman to Schering Plough, 11/3/95	ESI00527 - 00548 601 DOC000384 - 000405	AHP/ESI
CX 1174	Merck ex US discussions with Guy Eiferman 11/01	SP045841 - 045842	Schering-Plough

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CX 1175	Atherogenics, 10-K filing, 12/31/00	FTC0006820 - 0006876	FTC
CX 1176	Cor Thera. and Schering Intergrelin for acute MI & angina, Press Release, 4/11/95	FTC0006971 - 0006972	FTC
CX 1177	COR Therapeutics 10-K filing, 12/31/96	FTC0006975 - 0007037	FTC
CX 1178	Transgene and Schering collaborate on gene delivery technology, Press Release, 2/4/98	FTC0007039 - 0007040	FTC
CX 1179	Corvas Int'l and Schering Thrombin & Factor Xa inhibitors, Press Release, 12/19/94	FTC0007050 - 0007051	FTC
CX 1180	Immune Response and Schering Gene therapies for Hepatitis B & C, Press Release, 7/9/98	FTC0007192 - 0007193	FTC
CX 1181	Genzyme Molecular Oncology and Schering collaborate on gene therapy delivery technology, Press Release, 1/5/98	FTC0007259 - 0007260	FTC
CX 1182	Genzyme Corp. 10-K filing,, 12/31/98	FTC0007261 - 0007341	FTC
CX 1183	Pharmacopeia, research into therapy for cancer/asthma, Recap analysis, 12/94	FTC0007342 - 0007352	FTC
CX 1184	Neurogen and Schering, Press Release agreement to develop neuro-psychiatric drugs, 6/15/95	FTC0007478 - 0007479	FTC
CX 1185	Neurogen Corp. 10-K-filing, 12/31/95	FTC0007550 - 0007609	FTC
CX 1186	Genome Therapeutics and Schering, Asthma Therapeutics, press release, research & milestones, 12/23/96	FTC0007620 - 0007622	FTC
CX 1187	10-K filing	FTC0006975 - 0007037	FTC
CX 1188	ICN Pharmaceuticals 10-K filing,	FTC0007867 - 0007952	FTC
CX 1189	Centacor and Schering, international licensing agreement for Avakine Monoclonal Antibody, press release, 4/6/98	FTC0007961 - 0007962	FTC
CX 1190	Myriad Genetics 10-K filing	FTC0008018 - 0008123	FTC
OTHER SCHERING DEALS (Continued)			
CX 1191	British Biotech and Schering to develop matrix metalloproteinase inhibitors for cancer, press release, 9/7/99	FTC0008404 - 0008406	FTC
CX 1192	Zonagen 10-K filing	FTC0008490 - 0008562	FTC
CX 1193	3/18/92, Autommune, Inc. and Schering agreement	FTC0008571 - 0008649	FTC
CX 1194	Caji and Schering, Recap Summary, 5/94	FTC0008651	FTC
CX 1195	Genome Therapeutics and Schering contract, 12/95	FTC0008659 - 0008704	FTC
CX 1196	Genome Therapeutics 10-K filing, 8/31/96	FTC0008714 - 0008715	FTC

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CX 1197	Genome Therapeutics 10-K filing, 8/31/97	FTC0008716 - 0008717	FTC
CX 1198	Chiroscience and Schering to develop new oral treatments for asthma and other inflammatory diseases, press release, 6/27/97	FTC0008719 - 0008720	FTC
CX 1199	Human Genome Sciences and Schering contract, 6/96	FTC0008734 - 0008772	FTC
CX 1200	Human Genome Sciences 10-K filing, 12/31/96	FTC0008775 - 0008777	FTC
CX 1201	SciClone and Schering Recap analysis, 1/93	FTC0008779 - 0008783	FTC
CX 1202	Genzyme Molecular Oncology and Schering recap analysis, 10/98	FTC0008829	FTC
CX 1203	Genome Therapeutics 10-K filing, 8/31/97	FTC0008881 - 0008882	FTC
CX 1204	Cephalon and Schering recap analysis, 5/90	FTC0008884 - 0008889	FTC
CX 1205	Enzytech and Schering license agreement, 2/4/92	FTC0008972 - 0009049	FTC
CX 1206	Enzon 10-K filing, 6/30/96	FTC0009060 - 0009061	FTC
CX 1207	Penederm and Schering Topical antifungal products in N.A., press release, 6/30/94	FTC0009063	FTC
CX 1208	Penederm and Schering license agreement	FTC0009072 - 0009106	FTC
CX 1209	Univ. of Toronto and Schering recap summary, 1/97	FTC0009109	FTC
CX 1210	Protein DESIgn Labs & Boehringer Mannheim, agreements include equity investment, product licensing and joint manufacturing, press release, 10/29/93	FTC0009182 - 0009184	FTC
CX 1211	Parke-Davis & Pfizer recap analysis, 3/96	FTC0009190 - 0009202	FTC
CX 1212	deCODE Genetics 10-K filing, 12/31/00	FTC0009238 - 0009239	FTC
CX 1213	Affymax & Wyeth-Ayerst recap analysis, 2/94	FTC0009317 - 0009325	FTC
CX 1214	Regeneron & Proctor and Gamble 10-K filing, 12/31/98	FTC0009360 - 0009361	FTC
OTHER SCHERING DEALS (Continued)			
CX 1215	Warner-Lambert sells Parke-Davis facility and certain brand products to King Pharmaceuticals, press release, 3/2/98	FTC0009405 - 0009407	FTC
CX 1216	Scios and Genetech Auriculins for acute renal failure, press release, 1/31/95	FTC0009483 - 0009485	FTC
CX 1217	Scios and Genetech Auriculins for acute renal failure, press release, 5/29/96	FTC0009481 - 0009482	FTC
CX 1218	GenVec and Parke-Davis recap analysis, 7/97	FTC0009493 - 0009500	FTC
CX 1219	Alexion and Proctor & Gamble recap analysis, 1/99	FTC0009554 - 0009566	FTC

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CX 1220	Alexion and Proctor & Gamble C5 inhibitor for CPB, press release, 10/24/01	FTC0009690	FTC
CX 1221	Millennium & Lilly Genes for atherosclerosis & cancer, press release, 10/24/95	FTC0009711 - 0009713	FTC
CX 1222	Millennium & Lilly Genes to include select areas of oncology, press release, 4/15/96	FTC0009708	FTC
CX 1223	Cardiome Pharma and Hoffmann-La Roche recap summary, 5/98, rev. 6/99	FTC0009714	FTC
CX 1224	Nortran Pharmaceuticals and Hoffman-La Roche Atrial arrhythmia compounds, press release, 5/7/98	FTC0009716 - 0009717	FTC
CX 1225	Axys Pharmaceuticals and Rhone-Poulenc Rorer, Protease inhibitors associated with inflammatory diseases, 12/18/98	FTC0009773 - 0009774	FTC
CX 1226	Texas Biotechnology and SmithKline Beecham form alliance to market and develop Novastan IN North America, 8/6/97	FTC0009871 - 0009872	FTC
CX 1227	Bristol-Myers Squibb and ICAgen Initiate Ion Channel Collaboration; Alliance to focus on small molecules for atrial fibrillation, press release, 9/30/97	FTC0009877	FTC
CX 1228	GelTex and Sankyo Pharmaceutical recap summary, 11/99, rev. 12/99	FTC0009881	FTC
CX 1229	GelTex Pharmaceuticals and Sankyo sign letter of intent for licensing agreement for GelTex's chloesterol-lowering products, press release, 11/15/99	FTC0009914 - 0009915	FTC
CX 1230	Interneuron licenses North American rights for Ceraxon to Takeda Chemical Industries, Inc., press release, 12/2/99	FTC0009977 - 0009979	FTC
CX 1231	Cytel and Schwartz Pharma recap summary, 5/95	FTC0009981 - 0009993	FTC
CX 1232	Scios and Wyeth-Ayerst recap summary, 10/96	FTC0009996	FTC
OTHER SCHERING DEALS (Continued)			
CX 1233	Scios and Wyeth-Ayerst Trafermin for stroke and cardio, press release, 10/23/96	FTC0009997 - 0009998	FTC
CX 1234	Gensia Pharmaceuticals and Boehringer Mannheim Geomatrix nifedipine for hypertension, press release, 10/11/94	FTC0008129 - 0008130	FTC
CX 1235	3-Dimensional Pharmaceuticals and Wyeth-Ayerst, stock purchase agreement, 6/97	FTC0008133 - 0008156	FTC
CX 1236	3-Dimensional Pharmaceuticals and Wyeth-Ayerst, Orally active thrombin inhibitors, press release, 6/16/97	FTC0008157 - 0008158	FTC

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CX 1237	Axcan Pharma and Schwarz Pharma recap summary, 1/97	FTC0008159	FTC
CX 1238	Axcan Pharma, Inc., joint venture with Schwarz Pharma, press release, 1/21/97	FTC0008160 - 0008161	FTC
CX 1239	Myriad Genetics and Ciba-Geigy recap summary, 4/95	FTC0008164	FTC
CX 1240	Myriad Genetics and Ciba-Geigy recap analysis, 4/95	FTC0008165 - 0008172	FTC
CX 1241	Myriad Genetics, Inc. 10-Q filing, 9/30/96	FTC0008173 - 0008175	FTC
CX 1242	Bayer and Scios announce worldwide Strategic Alliance for Natrecor in congestive heart failure, press release, 5/26/98	FTC0008270 - 0008271	FTC
CX 1243	Memo to David Poorvin from Jim Audibert re JAM146.doc, 8/7/98	SP033730 - 033732	Schering-Plough
CX 1244	Memo to Enters and Dr. Spicehandler from Dr. Chatterjee, re SPRI Review of Frovatriptan, 6/18/98	SP050155 - 050161	Schering-Plough
CX 1245	E-mail to Poorvin from Rubino re Zelmac Deal Analysis: Novartis Perspective, 7/25/00	SP050926 - 050928	Schering-Plough
CX 1246	Fax to Poorvin from Sundar Kodiyalam, re Zelmac Update, 7/21/00	SP050954 - 050970	Schering-Plough
CX 1247	Memo to Raul Cesan from Poorvin, re Levovin (ICN), 5/10/01	SP053672 - 053673	Schering-Plough
CX 1248	E-mail to Roehl and Estol from Chipkin, re Genentech PAC document/BD Section, 8/2/00	SP058833 - 058836	Schering-Plough
CX 1249	E-mail to Roehl, Reisinger, Cuffie-Jackson, and Grint from Chipkin, re Genetech's hul 1124, 4/7/00	SP058887 - 058888	Schering-Plough
CX 1250	Memo to Spicehandler and Enters from Roehl, re Licensing opportunity: hul 1124-Genetech's monoclonal antibody for psoriasis, 3/27/00	SP058894 - 058896	Schering-Plough
OTHER SCHERING DEALS (Continued)			
CX 1251	Atherogenics, AGI-1067; license, 10/22/99	SP066009 - 066011	Schering-Plough
CX 1252	Alkermes (formerly Enzytech), injectable delivery system for Alpha Interferon; development/license, 2/10/92, amended 7/26/95	SP066007 - 066008a	Schering-Plough
CX 1253	Bristol-Myers Squibb, Tequin; co-promotion, 1/1/00	SP066012 - 066013	Schering-Plough
CX 1254	British Biotech, Marimastat; development/license/stock subscription, 9/6/99	SP066014 - 066017	Schering-Plough
CX 1255	Celltech, antibody to gamma interferon receptor; license/E.C. co-promotion, 12/10/92, amended 4/27/95	SP066018 - 066021	Schering-Plough

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CX 1256	Centocor, Avakine; distribution/license/security agreement, 4/3/98	SP066022 - 066023	Schering-Plough
CX 1257	Cephalon, Alzheimer's drug; collaboration/research, 5/23/90	SP066024 - 066028	Schering-Plough
CX 1258	Chiroscience, asthma drug; collaboration/research, 6/24/97	SP066029 - 066030	Schering-Plough
CX 1259	Chugai Pharmaceuticals, Psoriasis drug; license, 3/2/98	SP066031 - 066032	Schering-Plough
CX 1260	COR Therapeutics, Integrelin; collaboration, 4/10/95	SP066033 - 066038	Schering-Plough
CX 1261	Corvas, Hepatitis C inhibitor; collaboration/license, 6/11/97	SP066039 - 066040	Schering-Plough
CX 1262	Endorecherche, Antiestrogen & antiandrogen; development/license	SP066041 - 066043	Schering-Plough
CX 1263	Enzon, PEG intron-A; development/license/supply, 11/14/90, amended 2/23/92 and 6/30/95	SP066044 - 066046	Schering-Plough
CX 1264	Genome Therapeutics Corp., Genomic fungal infection treatment; collaboration/license, 9/23/97	SP066047 - 066048	Schering-Plough
CX 1265	Genome Therapeutics Corp., Asthma product; development/license, 12/20/96	SP066049 - 066051	Schering-Plough
CX 1266	Genome Therapeutics Corp., Any disease-treatment product developed from GTC databases (?); collaboration/license, 12/7/95	SP066052 - 066054	Schering-Plough
CX 1267	Human Genome Sciences, Access to HGS genome technology; R&D collaboration/license, 6/28/96	SP066055 - 066062	Schering-Plough
CX 1268	ICN, Ribavirin; license, 7/28/95	SP066063 - 066068	Schering-Plough
CX 1269	Incyte (Synteni), Access to Incyte's microarray technology & databases; collaboration/license, 10/1/98	SP066069 - 066071	Schering-Plough
OTHER SCHERING DEALS (Continued)			
CX 1270	Medi-ject & Becton Dickinson, Needle-free injectors, syringes, & adopters; license/supple, 1/20/98	SP066072 - 066073	Schering-Plough
CX 1271	Myriad Genetics, "all products"; research collaboration/license, 4/22/97	SP066074 - 066077	Schering-Plough
CX 1272	Neurogen, any product containing Program Dopamine Agonist/Antagonist technology; collaboration/license, 7/27/95	SP066078 - 066082	Schering-Plough
CX 1273	Novopharm, all ANDA approved products, for eight years after 5/11/95; (Warrick) distribution, 5/2/94, amended 5/11/95	SP066107 - 066109	Schering-Plough

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CX 1274	Novopharm Biotech., genetic biotechnology pharm. products from "Option Substances"; development/manufacture/marketing/supply/distribution, 2/17/97	SP066110 - 066112	Schering-Plough
CX 1275	Orion, Toremifene tablet; supply/distribution, 3/14/95	SP066083 - 066084	Schering-Plough
CX 1276	Ribi ImmunoChem Research, Melacine; distribution/supply, 3/14/95	SP066085 - 066086	Schering-Plough
CX 1277	SciClone, Thymosin Alpha-1 (TA-1); license/development/supply, 1/12/93	SP066087 - 066090	Schering-Plough
CX 1278	Sennes, SDI gene & protein patent sublicense, 8/18/99	SP066091 - 066093	Schering-Plough
CX 1279	Sepracor, DCL (loratadine metabolite); license, 12/5/97	SP066094	Schering-Plough
CX 1280	Sequus Pharma., Caelyx/Doxil; supply/distribution, 8/29/96	SP066095 - 066098	Schering-Plough
CX 1281	TerraGen Diversity, bacteria extract; research collaboration/license	SP066099 - 066100	Schering-Plough
CX 1282	Transgene, S.A., use of Transgene's adenovirus gene therapy & delivery systems; research collaboration/license/option, 2/2/98	SP066101 - 066102	Schering-Plough
CX 1283	Univ. of Toronto, Alzheimer's gene therapy; development/license, 12/9/96	SP066103 - 066106	Schering-Plough
CX 1284	Memo to Enter from Chipkin re Confidential Material from Geltex, 3/23/99	SP003086	Schering-Plough
CX 1285	Memo to Thompson from Maetzold re Background inof on Cholesterol market for cholestagel analysis, 4/28/99	SP003190 - 003195	Schering-Plough
CX 1286	E-mail to Audibert, Lauda, Poorvin, Chipkin, Veltri, Ress, and Mackey from Derek Maetzold, re Geltex Acquisition Paper, 6/4/99	SP003171 - 003189	Schering-Plough
OTHER SCHERING DEALS (Continued)			
CX 1287	Memo to Enters from Audibert re Geltex, 6/24/99	SP003078	Schering-Plough
CX 1288	Fax to Audibert from Collins re Updated financial model runs for Gel-Tex , 6/5/99	SP003201 - 003207	Schering-Plough
CX 1289	Fax to Audibert from Collins re Modified Geltex model-Scenario 3C, 8/18/99	SP003208 - 003211	Schering-Plough
CX 1290	Memo to Chipkin from Maetzold re Cholestagel Forecast, 5/5/99	SP003196 - 003197	Schering-Plough
CX 1291	Memo to Lauda from Maetzold, re Cholestagel Forecast	SP003198 - 003200	Schering-Plough

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CX 1292	Cholestagel, P&L forecast w/assumptions, notes and additional figures, 5/99	SP003065 - 003070	Schering-Plough
CX 1293	Draft, Acquisition of Geltex	SP003071 - 003077	Schering-Plough
CX 1294	Memo to Enters and Spicehandler from Chatterjee re SPRI Technical Assessment of Cholestagel from GelTex Pharmaceuticals, Inc., 9/1/99	SP003226 - 003236	Schering-Plough
CX 1295	Atherogenics, Inc., Initial Presentation, 4/15/98	SPCID2 1B 00001 - 00050	Schering-Plough
CX 1296	Atherogenics AGI-1067 presentation documents, 9/28/98	SPCID 1B 00051 - 000116	Schering-Plough
CX 1297	AGI-1067 Indication	SP067042 - 067061	Schering-Plough
CX 1298	Letter to Karin Gast from Mitchell Glass re 6/9/98 request for follow-up on AGI-1067, 6/24/98	SPCID2 1B 00209 - 00210	Schering-Plough
CX 1299	Memo to Rudy Ress from Karin Gast re Answers from AtherGenics, 10/16/98	SPCID2 1B 00149 - 00201	Schering-Plough
CX 1300	Letter to Shutts from Andrews re Due Diligence–AtheroGenics, 12/4/98	SPCID2 1B 00322 - 00327	Schering-Plough
CX 1301	AGI-1067 Development total Allocated Costs	SPCID2 1B 00299 - 00302	Schering-Plough
CX 1302	Memo to Roehl from Reif re AtheroGenics AGI-1067 Review, 12/10/98	SPCID 1B 00328 - 00331	Schering-Plough
CX 1303	Pre-clinical pharmacology review of AGI-1067/DD visit Report, 12/23/98	SPCID2 1B 00305 - 00307	Schering-Plough
CX 1304	Memo to Roehl from Halliwell re Due diligence review of AtheroGenics AGI 1067 In-Licensing Review, 1/6/99	SPCID2 1B 00308 - 00313	Schering-Plough
CX 1305	Memo to Roehl from Lipka re Atherogenics AGI-1067 Review, 1/26/99	SPCID2 1B 00314 - 00321	Schering-Plough
CX 1306	Memo to Roehl from Kosoglou re Clinical Pharmacology Due Dilligence Review, 5/26/99	SPCID2 1B 00297 - 00298	Schering-Plough
OTHER SCHERING DEALS (Continued)			
CX 1307	Template for project manhour estimates: Nonsterile Pharmaceutical Developme, 8/20/99	SPCID2 1B 00303 - 00304	Schering-Plough
CX 1308	Memo to Roehl from Tkach re WRA due diligence review of AGI-1067 from AtheroGenics, 3/22/99	SPCID2 1B 00332 - 00338	Schering-Plough
CX 1309	AGI-1067: Athergenic's anti-restenosis compound PRB briefing document, Meeting: 7/26/99	SPCID2 1B 00339 - 00390	Schering-Plough
CX 1310	AGI-1067, A Licensing Opportunity for the Prevention of Restenosis from Atherogenics, 9/13/99 presented to SPOC	SPCID2 1B 00391 - 00496	Schering-Plough

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CX 1311	Memo to Distribution from Qaalfa Dibeehi re Vasomax docs, 4/13/97	SP088425 - 088484	Schering-Plough
CX 1312	Fax to Poorvin from Dourado re "vase case" comparison with Viagra, 9/30/97	SP088347 - 088348	Schering-Plough
CX 1313	Memo to Dourado and Hurtado from Koorie and Melas re Commercial Assessment of Invicorp & Vasomax, , 8/21/97	SP089135 - 089156	Schering-Plough
CX 1314	Memo to Dourado and Rubino from Schafroth re Licensing opportunities: Vasomax, OD fltamide, 3/4/97	SP089157 - 089170	Schering-Plough
CX 1315	Memo to Baron, Hurato, and Poorvin from Schultz re Zonagen, 6/10/97	SP089174	Schering-Plough
CX 1316	Memo to Chatterjee from Schultz re Vasomax, 7/9/97	SP079927	Schering-Plough
CX 1317	E-mail to Schultz and Melas from Estok re Vasomax product profile, 8/27/97	SP088590 - 088591	Schering-Plough
CX 1318	Letter to Richard Lorber from John Potthof re safety tabs related to adverse experiences in Zonagen, 10/2/97	SP085732	Schering-Plough
CX 1319	Letter to Schultz from Bowman re updatd adverse advent tabs on ZON 200, 10/24/97	SP087640	Schering-Plough
CX 1320	E-mail to Schultz from Lorber re Zonagen clinical and regulatory inof on vasomax, 9/9/97	SP088592 - 088594	Schering-Plough
CX 1321	Memo to Distribution from Crosby re Vasomax: Draft PRB/SPOC document for review, 10/6/97	SP088780 - 088923	Schering-Plough
CX 1322	Memo to Distribution from Lorber re Vasomax Assessment, 8/27/97	SP088386 - 088389	Schering-Plough
CX 1323	Memo to Chatterjee from Haenick re Vasomax Tabs - Zonagen, Inc., 9/10/97	SP088595 - 088598	Schering-Plough
CX 1324	Memo to Cesan from Jensen and Chatterjee re Vasomax: Status of issues and SPRI position, 11/7/97	SP089019 - 089023	Schering-Plough
OTHER SCHERING DEALS (Continued)			
CX 1325	Memo to Enters from Lauda re Due diligence of Zonagen's Vasomax, 8/20/97	SP089133	Schering-Plough
CX 1326	Fax to Schultz from Kelli Marks, re Minutes and action items from 10/2 meeting, 10/2/97	SP088536 - 088538	Schering-Plough
CX 1327	Memo to Farrell and Weiner from Estok, re Vasomax licensing opportunity trademark evaluation, 10/13/97	SP088606 - 088607	Schering-Plough
CX 1328	Memo to Chatterjee, Haenick, Halliwell, and Rinaldi from Bette Schultz re: Vasomax chronic tox, 9/23/97	SP088549 - 088561	Schering-Plough

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CX 1329	Letter to Craig McCarthy from Isidoro Perez re: request review of Vasomax Marketing Authorization Application in U.K., 10/22/97	SP088562	Schering-Plough
CX 1330	Memo to Bowman from DeSousa re Vasomax international regulatory strategy, 10/13/97	SP088563 - 088564	Schering-Plough
CX 1331	Memo to Distribution from Enters re ad hoc PRB Meeting, 10/9/97	SP088122 - 088293	Schering-Plough
CX 1332	memo to meeting Attendees from Enters re Minutes, ad hoc PRB Meeting 10/10/97, 10/20/97	SP088940 - 088954	Schering-Plough
CX 1333	Memo to Collins from Schultz re Vasomax SPOC presentation, 10/13/97	SP088486 - 088516	Schering-Plough
CX 1334	Fax to Bill Silbey from Bette Schultz re Vasomax board paper, 10/20/97	SP088975 - 088983	Schering-Plough
CX 1335	Clinical Development Summary, 6/98	SPCID2 1D 12257 - 12379	Schering-Plough
CX 1336	Marimastat Presentation	SPCID2 1D 12518 - 12601	Schering-Plough
CX 1337	Memo to Hurado and Schultz from Wael Fayad, re Marimastat U.S. commercial assessment, 9/22/98	SPCID2 1D 12652 - 12671	Schering-Plough
CX 1338	Marimastat Matrix Metalloproteinase Inhibitor, British Biotech, marketing assessment, 11/11/98	SPCID2 1D 12722 - 12753	Schering-Plough
CX 1339	Letter to Chatterjee from Peter Brown reply to 12/10/98 SPRI request for data, 12/16/98	SPCID2 1D 09820 - 09822	Schering-Plough
CX 1340	Fax to Schultz and Chatterjee from Peter Brown, reply to questions raised in fax of 3/8/99, 3/16/99	SPCID2 1D 09807 - 09817	Schering-Plough
CX 1341	Earnings Impact assessment, 7/23/99	SPCID2 1D 11403 - 11405	Schering-Plough
CX 1342	Letter to Poorvin from Schultz re financial analysis, 7/22/99	SPCID2 1D 11406 - 11426	Schering-Plough
CX 1343	Draft P&L review	SPCID2 1D 11376	Schering-Plough
CX 1344	Preliminary P&L analysis	SPCID2 1D 11388 - 11389	Schering-Plough
OTHER SCHERING DEALS (Continued)			
CX 1345	Memo to Enters and Spicehandler from Chatterjee re SPRI Assessment of Marimastat, 12/1/98	SPCID2 1D 12799 - 12852	Schering-Plough
CX 1346	Letter to Chatterjee from Peter Brown re "boxes for tech review", 4/16/99	SPCID2 1D 09805 - 09806	Schering-Plough
CX 1347	Marimastat, Alicensing opportunity for a novel late-stage anticancer agent from British Biotech, for presentation to PRB 6/25/99	SPCID2 1D 10062 - 10223	Schering-Plough

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CX 1348	Marimastat, Alicensing opportunity for a novel late-stage anticancer agent from British Biotech, for presentation to SPOC 6/28/99	SPCID2 1D 09854 - 10061	Schering-Plough
CX 1349	Development, license and supply agreement between Schering Corp., Schering-Plough LTD. and R.P. Scherer Corp., 3/24/99	SPCID00001 - 00089	Schering-Plough
CX 1350	Exclusive license and supply agreement between Becton Dickinson and Co. and Schering Corp., 5/15/99	SPCID00090 - 00137	Schering-Plough
CX 1351	Development, License and Supply Agreement between Schering Corp. and Enzon, Inc., 10/29/90	SPCID00138 - 00249	Schering-Plough
CX 1352	Exclusive License Agreement between Atherogenics, Inc. and Schering Corp., 10/25/99	SPCID00442 - 00517	Schering-Plough
CX 1353	Agreement between British Biotech Pharmaceuticals LTD. and Schering Corp., 9/6/99	SPCID00254 - 00391	Schering-Plough
CX 1354	Option Agreement between Schering Corp. and Silicon Microdevices, Inc., 12/18/98	SPCID00695 - 00726	Schering-Plough
CX 1355	Collaboration and license agreement between Pharmacoepia, Inc. and Schering Corp., 10/29/98	SPCID00631 - 00694	Schering-Plough
CX 1356	Letter to Kade Kadrie from Joe Wardell re Status of Niacor-SR Licensing Effort, 9/16/93	USL09883 - 09884	Upsher-Smith
CX 1357	Memo to Distribution from Bob Coleman re Niacor-SR, changes in the marketplace that may significantly impact the potential marketability of the Niacor-SR product, 8/12/97	USL11931 - 11933	Upsher-Smith
CX 1358-1360	RESERVED		

MISCELLANEOUS

CX 1361	Schering's response to complainT counsel's first set of interrogatories, 10/22/01	FTC0021809 - 0021817	FTC
CX 1362	Schering's response to complaint counsel's corrected first set of interrogatories, 11/16/01	FTC0021818 - 0021822	FTC
CX 1363	Letter to Tara Koslov from John Nields re Other Schering deals, 3/29/01	FTC0001400 - 0001404 Schering-Plough White Paper Exhibits 0000203 - 0000207	Schering-Plough

Exhibit No.	Document Description	Document No.	Source
CX 1364	Plaintiff's Statement Pursuant to Rule 12G, Key v. Upsher-Smith, 1/10/97	USL PLD 002400 - 002463	ESI
CX 1365-1366	RESERVED		
CX 1367	RESERVED		

CERTIFICATE OF SERVICE

I, Pamela L. Timus, hereby certify that on December 18, 2001, I caused two copies of the Plaintiff's Amended Exhibit List to be served by hand delivery upon:

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

and one copy upon the following persons via hand delivery.

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