

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION



In the Matter of)

Schering-Plough Corporation,)
a corporation,)

Upsher-Smith Laboratories,)
a corporation,)

and)

American Home Products Corporation,)
a corporation.)

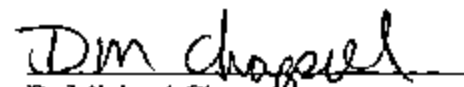
Docket No. 9297

ORDER ON APPLICATIONS FOR ISSUANCE OF SUBPOENAS

Respondent Upsher-Smith Laboratories ("Upsher-Smith") filed a third motion seeking the issuance of a six subpoenas *ad testificandum* on January 14, 2002, pursuant to Rule 3.34(a)(2) of the Commission's Rules of Practice. The individuals for whom each of the subpoenas is sought appear on Complaint Counsel's final witness list. The testimony that is sought appears to be reasonably relevant. Upsher-Smith has not represented whether the individuals are located in the United States.

The motion is GRANTED, with the limitation that subpoenas for individuals located outside the United States will not be issued unless the requirements of Rule 3.36 are met. Upsher-Smith shall prepare the subpoenas for my signature and arrange an appropriate time to pick them up.

ORDERED:


D. Michael Chappell
Administrative Law Judge

Date: January 17, 2002