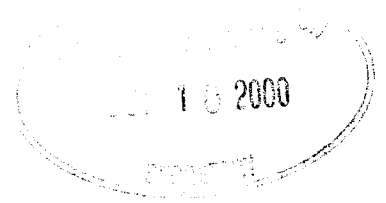


UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION



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In the Matter of

HOECHST MARION ROUSSEL, INC.  
a corporation,

Docket No. 9293

CARDERM CAPITAL L.P.,  
a limited partnership,

and

ANDRX CORPORATION,  
a corporation.

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To: **Administrative Law Judge D. Michael Chappell**

**NON-PARTY AETNA U.S. HEALTHCARE, INC.'S REQUEST THAT THIS  
COURT ENTER ITS MOTION FOR A PROTECTIVE ORDER GIVEN  
RESPONDENT AVENTIS' LACK OF OPPOSITION**

On September 25, 2000, Aetna U.S. Healthcare, Inc. ("Aetna") filed and served a motion for a protective order that it need not produce further documents to respondent Aventis Pharmaceuticals, Inc. in this matter. On October 6, 2000, Aetna received respondent Aventis' notice<sup>1</sup> that it will not file an opposition to that motion. Therefore, for the reasons stated in Aetna's opening brief, Aetna respectfully requests that this Court grant Aetna's motion.

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<sup>1</sup> This notice was by way of footnote no. 1 to a document entitled: "Aventis' Reply To Aetna's Memorandum In Opposition To Aventis Pharmaceuticals, Inc.'s Motion To Enforce Compliance With The Subpoena Issued To Non-Party Aetna U.S. Healthcare [sic]".

Respectfully submitted,

Date: October 6, 2000

**BERMAN, DeVALERIO, PEASE & TABACCO, P.C.**

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Counsel for Aetna U.S. Healthcare, Inc.

/cardizem/ftc/aetna request for PO

**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION**

In the Matter of

HOECHST MARION ROUSSEL, INC.,  
a corporation,

CARDERM CAPITAL L.P.,  
a limited partnership,

And

ANDRX CORPORATION,  
a corporation.

Docket No. 9293

**CERTIFICATE OF SERVICE**

I, TYLER KELLY, an employee of Berman, DeValerio, Pease & Tabacco, P.C., 425 California Street, Suite 2025, San Francisco, CA 94104, hereby certify that on October 6, 2000, I served true copies of the following documents:

**NON-PARTY AETNA U.S. HEALTHCARE, INC.'S REQUEST THAT THIS COURT  
ENTER ITS MOTION FOR A PROTECTIVE ORDER GIVEN RESPONDENT  
AVENTIS' LACK OF OPPOSITION**

on the following parties:

Hon. D. Michael Chappell  
Administrative Law Judge  
Federal Trade Commission, Room 104  
600 Pennsylvania Ave., N.W.,  
Washington, D.C. 20580  
(two courtesy copies)

Richard Feinstein  
Director For Healthcare Services Office  
Federal Trade Commission  
601 Pennsylvania Avenue  
Washington, D.C. 20580

Markus Meier, Esq.  
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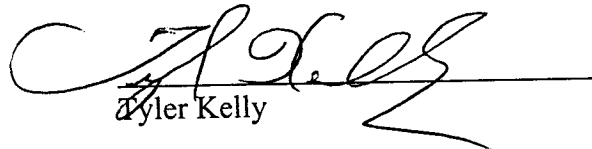
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by placing same in sealed envelopes, affixing proper first class postage, and depositing them in the United States Mail at San Francisco, California.

I declare under penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct.

Executed at San Francisco, California, on October 6, 2000.

  
Tyler Kelly