UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION

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

ORDER GRANTING MOTIONS FOR EXTENSIONS OF TIME

I.

On January 3, 2002 and January 4, 2002, Respondents Schering-Plough Corporation ("Schering") and Upsher-Smith Laboratories ("Upsher-Smith") filed a total of nine motions *in limine*. On January 4, 2002, Complaint Counsel filed a motion for an extension of time for filing its responses to Respondents' motions *in limine*. By order dated January 4, 2002, Respondents were required to file their oppositions to Complaint Counsel's motion by 1:00 p.m. on January 8, 2002. On January 7, 2002, Respondents filed their responses to Complaint Counsel's motion for an extension of time.

The Scheduling Order requires Complaint Counsel's responses to motions *in limine* to be filed on January 10, 2002. Complaint Counsel seeks an extension of time for filing their responses until January 14, 2002. Respondents oppose an extension of time for six of the nine motions, but consent to the request for an extension for three of the nine motions.

Respondents' motions *in limine* raise numerous issues. Together, the nine motions seek to limit or exclude the testimony of six of the eight expert witnesses listed by Complaint Counsel; limit the use of transcript excerpts; and prevent Complaint Counsel from asserting that Schering made "a $60 million non-contingent payment" to Upsher. Complaint Counsel's request for an extension to respond to these motions is GRANTED. Complaint Counsel's responses to the motions are due by 2:00 p.m. on January 14, 2002.

II.

On January 4, 2002, Schering filed a motion for an extension of time for filing its motion *in limine* to exclude the testimony of Banakar and Adelman. The Scheduling Order required motions *in limine* to be filed by January 3, 2002. According to the motion, Schering tried to file the motion on January 3, 2002, but arrived at the Office of the Secretary four minutes passed the filing deadline. By order dated January 4, 2002, Complaint Counsel was required to file its oppositions to Complaint Counsel's motion by 1:00 p.m. on January 8, 2002. Complaint Counsel has not opposed Schering's motion. Schering's motion for an extension of time is GRANTED.

ORDERED:

D. Michael Chappell
Administrative Law Judge

Date: January 8, 2002