

**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,
a corporation.

Docket No. 9297

STIPULATION

1. On October 26, 2001, Complaint Counsel issued to Schering-Plough Corporation (“Schering”) a Notice of Deposition (“Deposition Notice”) pursuant to Rule 3.33(c) of the Federal Trade Commission’s Rules of Practice for Adjudicative Proceedings which requested Schering provide a person or persons to testify about SP 018780-018781. This Deposition Notice is hereby withdrawn without prejudice.
2. On October 31, 2001, Schering filed Schering-Plough Corporation’s Motion For A Protective Order (“Protective Order Motion”) pursuant to Rules 3.31(c) & (d) of the Federal Trade Commission’s Rules of Practice for Adjudicative Proceedings seeking to prevent Complaint Counsel from taking the deposition requested by the Deposition Notice. The Protective Order Motion is hereby withdrawn without prejudice.
3. Complaint Counsel and Schering stipulate that Complaint Counsel’s Corrected First Set of Interrogatories Issued To Schering-Plough Corporation (“Corrected First Set of Interrogatories”), which will amend Interrogatory No. 2 solely to reference SP 018780-018781, will be deemed to have been issued to Schering on October 2, 2001 and in a timely manner consistent with the First Revised Scheduling Order of September 25, 2001. Schering shall respond to the Corrected First Set of Interrogatories on or before November 16, 2001.

Dated: November 9, 2001

By: _____

Karen G. Bokat, Esq.
Federal Trade Commission
601 Pennsylvania Avenue
Room 3112
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Complaint Counsel

By: _____

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Howrey Simon Arnold & White
1299 Pennsylvania Avenue, N.W.
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Counsel for Schering-Plough Corporation

SO ORDERED:

D. Michael Chappell
Administrative Law Judge