

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

In the Matter of

ACTAVIS, INC.,
a corporation;

form as the circumstances may require) and Decision and Order, in disposition of the proceeding.

9. This Consent Agreement is for settlement purposes only and does not constitute an admission by Proposed Respondents that the law violated as alleged in the draft of Complaint here attached or that the facts as alleged in the draft of Complaint, other than jurisdictional facts, are true.
10. This Consent Agreement contemplated is accepted by the Commission, the Commission may (i) issue and serve its Order corresponding in form and substance with the draft of Complaint here attached, (ii) issue, and serve its Order to Maintain Assets, and (iii) make information public with respect thereto, such acceptance is not subsequently withdrawn by the Commission, and the provisions of Commission Rule 2.34, 16 C.F.R. § 2.34, the Commission, without further notice to Proposed Respondents, issue the attached Decision and Order containing an order to divest and providing for other relief in disposition of the proceeding.
11. When final and effective, the Decision and Order and the Order to Maintain Assets shall have the same force and effect and may be modified or set aside in the same manner and within the same time provided for other orders. The Decision and Order and the Order to Maintain Assets become final and effective upon service. Delivery of the Complaint, the Decision and Order, and the Order to Maintain Assets to Proposed Respondent Actavis by any provider provided in Commission Rule 4.4(a), 16 C.F.R. § 4.4(a) including, but not limited to, delivery to an office within the United States of Steven C. Sunshine, Esq., of Skarps, Meagher, & Flom LLP; or of any other lawyer or law firm listed as Counsel for Actavis shall constitute service as to Proposed Respondent Actavis. Delivery of the Complaint, the Decision and Order, and the Order to Maintain Assets to Proposed Respondent Warner Chilcott by any means provided in Commission Rule 4.4(a), 16 C.F.R. § 4.4(a) including, but not limited to, delivery to an office within the United States of Mark Gidley, Esq.; of White & Case LLP; or of any other lawyer or law firm listed as Counsel for Warner Chilcott shall constitute service as to Proposed Respondent Warner Chilcott. Each Proposed Respondent waives any right it may have in any other manner of service. Each Proposed Respondent also waives any right it may otherwise have in any other manner of service of any Appendices incorporated by reference into the Decision and Order, and agrees that it is bound to comply with and will comply with the Decision and Order to the same extent as if it had been served with copies of the Appendices. Proposed Respondent is already in possession of copies of such Appendices.
12. The Complaint may be used in construction of the Decision and Order and the Order to Maintain Assets, and no agreement, understanding, representation, or interpretation not contained in the Decision and Order, the Order to Maintain Assets, or the Consent Agreement may be used to contradict the terms of the Decision and Order or the Order to Maintain Assets.
13. By signing this Consent Agreement, Proposed Respondents represent and warrant that Proposed Respondents can accomplish the full contemplated by the attached

Decision and Order (including effectuating all required divestitures, assignments,

ACTAVIS, INC.

By: _____

Paul M. Bisaro
President and Chief Executive Officer
Actavis, Inc.

Date: _____

Steven C. Sunshine, Esq.
Skadden, Arps, Meagher, & Flom LLP
Counsel for Actavis, Inc.

FEDERAL TRADE COMMISSION

By: _____
Daniel K. Zach
Deputy Assistant Director
Bureau of Competition

Michael R. Moiseyev
Assistant Director
Bureau of Competition

Deborah L. Feinstein
Director
Bureau of Competition
Date: _____