

UNITED STATES OF AMERICA

NO. 12 2000

FEDERAL TRADE COMMISSION

In the Matter of

HOFCHISTACARION ROUSSEL, INC.

On June 19, 2000, Andri filed its motion to quash and a cross-motion,

Biovail's motion to quash.

GRANTED.

For the reasons set forth below, the motion

enforce an investigative subpoena served on a foreign citizen in a foreign nation)

The exercise of jurisdiction by any governmental body in the United States is subject to

duct." *Saint-Gobain-Pont-A-Mousson*, 636 F.2d \_\_\_\_\_, the particular statute governing that body's conduct

at 1315. At the time the investigatory subpoena at issue in *Saint-Gobain-Pont-A-Mousson* was

issued, the only statute governing the exercise of jurisdiction by a governmental body in the United States was the Federal

Saint-Gobain, Part 4 Mousson requires that the subpoenaed witnesses, Guerin and Rivest,

337 must not violate international law

in the testimony or the production of documents must obtain the consent of the State, seeking to compel

has not challenged Rivest's representation of his obligations under Canadian law

Accordingly, because the subpoenas served on Rivest

Service upon Melnyk through delivery of subpoenas bearing his name at Rivest's

reasons set forth above, the subpoenas served on Melnyk are hereby quashed for the re

#### IV.

and asks, in the alternative, that complainant be precluded from offering Bivalis (through any of its representatives) and Melnyk and Cancellara as witnesses at trial if these

motion for exclusion of evidence is granted. This the Bivalis has represented in its affidavit filed June 20, 2000 that certain topics

quash subpoenas served on Bivalis outside lawyer

and certain witnesses in the motion for exclusion of evidence

D. Michael Chappell  
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Administrative Law Judge

ORDERED:

Dated: July 14, 2000