



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

Office of the Secretary

May 31, 2001

J. Andrew Langan, Esquire  
Kirkland & Ellis  
Counsel for Abbott Laboratories  
200 East Randolph Drive  
Chicago, IL 60601

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Langan:

The Federal Trade Commission has been conducting an investigation to determine



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May 31, 2001

Kenneth R. Logan, Esquire  
Simpson Thacher & Bartlett  
Counsel for American Home Products Corp.  
425 Lexington Avenue  
New York, New York 10017-3954

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Logan:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, American Home Products Corp., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

Upon further review of this matter, it now appears that no further action is warranted by the Commission at this time. Accordingly, the investigation has been closed. This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

By direction of the Commission, Chairman Pitofsky recused and Commissioner Leary not participating.

Donald S. Clark  
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May 31, 2001

Douglas L. Rogers, Esquire  
Vorys, Sater, Seymour & Pease  
Counsel for Boehringer Ingelheim Pharmaceuticals, Inc.  
P.O. Box 1008  
Columbus, Ohio 43216

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Rogers:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Boehringer Ingelheim Pharmaceuticals, Inc., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by



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May 31, 2001

Stephen S. Madsen, Esquire  
Cravath, Swaine & Moore  
Counsel for Bristol-Myers Squibb Company  
Worldwide Plaza  
825 Eighth Avenue  
New York, NY 10019-7475

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Madsen:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Bristol-Myers Squibb Company, or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

Robert A. Milne, Esquire  
Dewey Ballantine  
Counsel for Ciba-Geigy Corporation and  
Sandoz Pharmaceuticals Corporation  
1301 Avenue of the Americas  
New York, NY 10019-6092

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Milne:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your clients, Ciba-Geigy Corporation and Sandoz Pharmaceuticals Corporation (now collectively Novartis Pharmaceutical Corporation), or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

Robert K. Stanley, Esquire  
Baker & Daniels  
Counsel for Eli Lilly and Company  
300 North Meridian St.  
Suite 2700  
Indianapolis, Indiana 46204

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Stanley:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Eli Lilly and Company, or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

John W. Treece, Esquire  
Counsel for G.D. Searle & Co.  
Sidley & Austin  
One First National Plaza  
Chicago, IL 60603

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Treece:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, G.D. Searle & Co., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

Jerome I. Chapman, Esquire  
Arnold & Porter  
Counsel for Glaxo-Wellcome, Inc.  
555 Twelfth Street, NW  
Washington, DC 20004

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Chapman:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Glaxo-Wellcome, Inc., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

David E. Everson, Esquire  
Stinson, Mag & Fizell  
Counsel for Hoechst Marion Roussel, Inc.  
1201 Walnut Street  
Kansas City, Missouri 64106-2150

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Everson:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Hoechst Marion Roussel, Inc., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

James C. Egan, Esquire  
Clifford Chance Rogers and Wells  
Counsel for Hoffman-La Roche, Inc.  
2001 K Street, N.W., First Floor  
Washington, D.C. 20006

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Egan:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Hoffman-La Roche, Inc., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

Roosevelt N. Nesmith, Esquire  
Patterson, Belknap, Webb & Tyler  
Counsel for Johnson & Johnson  
1133 Avenue of the Americas  
New York, NY 10036-6710

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Nesmith:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Johnson & Johnson, or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

James P. Tallon, Esquire  
Sherman & Sterling  
Counsel for Merck & Co., Inc.  
599 Lexington Avenue  
New York, NY 10022-4000

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Tallon:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Merck & Co., Inc., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

Upon further review of this matter, it now appears that no further action is warranted by the Commission at this time. Accordingly, the investigation has been closed. This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

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May 31, 2001

David S. Copeland, Esquire  
Kaye, Scholer, Fierman, Hays & Handler, L.L.P.  
Counsel for Pfizer, Inc.  
425 Park Avenue  
New York, NY 10022-3598

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Copeland:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Pfizer, Inc., or others have



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Karen M. Hassevoort, Esquire  
Miller, Canfield, Paddock & Stone, P.L.C.  
Counsel for Pharmacia and Upjohn Company  
444 West Michigan Avenue  
Kalamazoo, Michigan 49007-3751

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Ms. Hassevoort:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Pharmacia and Upjohn Company, or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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Kenneth P. Ewing, Esquire  
Counsel for Pharmaceutical Research  
and Manufacturers of America  
Steptoe & Johnson LLP  
1330 Connecticut Ave., N.W.  
Washington, D.C. 20036-1795

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Ewing:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers or others, including your client, Pharmaceutical Research and Manufacturers of America, have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

Upon further review of this matter, it now appears that no further action is warranted by the Commission at this time. Accordingly, the investigation has been closed. This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

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May 31, 2001

Jeffrey S. Ross, Esquire  
Pillsbury Madison & Sutro LLP  
Counsel for Rhone-Poulenc Rorer, Inc.  
235 Montgomery Street  
P.O. Box 7880  
San Francisco, CA 94120-7880

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Ross:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Rhone-Poulenc Rorer, Inc., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

John G. Calender, Esquire  
Howrey & Simon  
Counsel for Schering-Plough Corporation  
1299 Pennsylvania Ave., N.W.  
Washington, D.C. 20004-2402

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Calender:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers including your client, Schering-Plough Corporation, or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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Leslie E. John, Esquire  
Ballard Spahr Andrews & Ingersoll  
Counsel for SmithKline Beecham  
1735 Market Street, 51<sup>st</sup> Floor  
Philadelphia, PA 19103-7599

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Ms. John:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, SmithKline Beecham, or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

Upon further review of this matter, it now appears that no further action is warranted by the Commission at this time. Accordingly, the investigation has been closed. This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

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May 31, 2001

David L. Meyer, Esquire  
Covington & Burling  
Counsel for Warner-Lambert Co.  
1201 Pennsylvania Ave., N.W.  
Washington, D.C. 20044-7566

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Meyer:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Warner-Lambert Co., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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