

UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION



In the Matter of )  
 )  
Schering-Plough Corporation, )  
a corporation, )  
 )  
Upsher-Smith Laboratories, )  
a corporation, )  
 )  
and )  
 )  
American Home Products Corporation, )  
a corporation. )  
\_\_\_\_\_ )

Docket No. 9297

ORDER DENYING AHP'S MOTION SEEKING LEAVE  
TO DISCOVER THAT ALL DOCUMENTS REGARDING THE

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

MOTION FOR PROTECTIVE ORDER RE FILED UNDER SEAL

\_\_\_\_\_

III.

Rule 3.22(a) of the Commission's Rules of Practice requires that all written motions shall be filed with the Secretary of the Commission. 16 C.F.R. § 3.22(a). If a party includes in a motion information that is subject to confidentiality, the party must file a confidential, non-public version of the motion and a redacted, public version. 16 C.F.R. §§ 3.22(b), 3.45(a). If a party files a motion that is subject to confidentiality, the party must file a confidential, non-public version of the motion and a redacted, public version. 16 C.F.R. §§ 3.22(b), 3.45(a).

the party shall file two versions of the motion, a confidential, non-public version and a redacted, public version. 16 C.F.R. §§ 3.22(b), 3.45(a). If a party files a motion that is subject to confidentiality, the party must file a confidential, non-public version of the motion and a redacted, public version. 16 C.F.R. §§ 3.22(b), 3.45(a).

UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION



In the Matter of )  
 )  
Schering-Plough Corporation, )  
a corporation, )  
 )  
Upsher-Smith Laboratories, )  
a corporation, )  
 )  
and )  
 )  
American Home Products Corporation, )  
a corporation. )

Docket No. 9297

**FIRST REVISED SCHEDULING ORDER**

In consideration of the Motion of All Parties to Revise Scheduling Order, filed on September 21, 2001, the scheduling order previously entered in this matter on May 3, 2001, is hereby revised as set forth below.

- September 25, 2001 - Deadline for filing motions for summary decision.
- October 2, 2001 - Deadline for issuing document requests, requests for admission, interrogatories and *subpoenas duces tecum*.

- November 1, 2001 - Deadline for filing replies on motions for summary decision.
- Complaint Counsel to identify rebuttal expert(s) and provide rebuttal expert report(s). Any such reports are to be limited to rebuttal of matters set forth in Respondents' expert reports. If material outside the scope of fair rebuttal is presented, Respondents will have the right to seek appropriate relief (such as striking Complaint Counsel's rebuttal expert reports or seeking leave to submit rebuttal expert reports on behalf of Respondents).
- Close of discovery, other than discovery permitted under Rule 3.24(a)(4) and depositions of experts.
- November 20, 2001 - Deadline for depositions of experts (including rebuttal experts).
- November 27, 2001 - Exchange, and serve courtesy copy on ALJ, final proposed witness and exhibit lists, including designated testimony to be presented by deposition, and a brief summary of the testimony of each witness. The final proposed witness list may not include additional witnesses not listed in the preliminary or revised preliminary witness lists previously exchanged unless good cause is shown.
- November 29, 2001 - Status conference to report on discovery and settlement negotiations, if requested by the parties.
- November 30, 2001 - Exchange copies of exhibits (except for demonstrative, illustrative or summary exhibits).

December 7, 2001

December 6, 2001

December 5, 2001

December 4, 2001

December 3, 2001

December 14, 2001 -

Deadline for filing responses to motions *in limine* and motions to strike.

Deadline for filing responses to motions for summary judgment of

[REDACTED]

[REDACTED]

proposed trial exhibits

[REDACTED]