

2. In compliance with the FTC's request, Kos produced the responsive documents.

3. Shortly thereafter, in or about March 2001, the FTC issued an administrative complaint against the Defendants. In support of its administrative complaint, the FTC intends to offer into evidence the following documents and transcripts of testimony produced by Kos at the request of the FTC:

- a. AAA0000008;
- b. AAA0000004;
- c. AAA0000001;
- d. AAA0000159;
- e. AAA0000002;
- f. AAA0000016 - AAA0000019;
- g. AAA0000010;
- h. AAA0000027 - AAA0000028;
- i. AAA0000029;
- j. AAA0000033;
- k. AAA0000033 - AAA0000036;
- l. AAA0000037;
- m. AAA0000048 - AAA0000051;
- n. AAA0000171;
- o. AAA0000161 - AAA0000162;
- p. AAA0000038;
- q. AAA0000045 - AAA0000047;
- r. AAA0000151 - AAA0000152;
- s. AAA0000153 - AAA0000157;
- t. AAA0158;
- u. AAA0000346 - AAA0000347;
- v. AAA0000378 - AAA0000379;
- w. AAA0000380;

WHEREFORE, Kos respectfully requests that this Court enter an Order granting Kos' Motion for Protective Order, or in the alternative for *in camera* inspection of the Kos Documents and transcripts of testimony pursuant to 16 C.F.R. §4.10(g)(3).

Respectfully submitted,

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By: _____

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that this ____ day of December, 2001, I caused an original, one paper copy and an electronic copy of the foregoing Kos Pharmaceuticals, Inc.'s Motion for Protective Order Or In the Alternative for In Camera Inspection of Documents Pursuant to 16 C.F.R. §4.10(g)(3) to be filed with the Secretary of the Commission, and that two paper copies were served by Federal Express upon:

Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
Room 104
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

and one paper copy was mailed to:

Yaa Apori, Esquire
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Bureau of Competition, Health Care Division
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