

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Complaint counsel plans to read brief excerpts from its deposition designations into the record as part of its case-in-chief, and seeks to prevent the portions of respondents' counterdesignations that ought in fairness to be considered with complaint.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

...stated that respondents should wait until their own case is closed to

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Moore's Federal Practice & Procedure § 32.61 (2001) ("The best practice is for the adverse party to request that the additional parts be read when the party who introduced

"ought in fairness to be considered" along with complaint counsel's designations. Rule 3.33(g)(1)(iv). Schering respectfully requests that complaint counsel be ordered to provide respondents notification of what excerpts they intend to read 48 hours in advance.

Respectfully submitted,

*Laura S. Shores/DEB*

John W. Nields, Jr.

Marc G. Schildkraut

Laura S. Shores

Charles A. Loughlin

HOWREY SIMON ARNOLD & WHITE, LLP

1299 Pennsylvania Ave., N.W.

Washington, D.C. 20004

(202) 783-0800

Attorneys for Respondent

---

---



CERTIFICATE OF SERVICE

I hereby certify that this 7th day of January 2002 I caused an original one paper

copy and an electronic copy of Document 03-1-0001-1 to be filed with the

[REDACTED]