

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,)

Docket No. 9297

ORDER GRANTING MOTIONS FOR EXTENSIONS OF TIME

I.

On January 3, 2002 and January 4, 2002, Respondents Schering-Plough Corporation ("Schering") and Upsher-Smith Laboratories ("Upsher-Smith") filed a total of nine motions *in limine*. On January 4, 2002, Complaint Counsel filed a motion for an extension of time for filing its responses to Respondents' motions *in limine*. By order dated January 4, 2002, Respondents were required to file their oppositions to Complaint Counsel's motion by 1:00 p.m. on January 8, 2002. On January 7, 2002, Respondents filed their responses to Complaint Counsel's motion for an extension of time.

The Scheduling Order requires Complaint Counsel's responses to motions *in limine* to be

II.

On January 4, 2002, Schering filed a motion for an extension of time for filing its motion *in limine* to exclude the testimony of Banakar and Adelman. The Scheduling Order required motions *in limine* to be filed by January 3, 2002. According to the motion, Schering tried to file the motion on January 3, 2002, but arrived at the Office of the Secretary four minutes passed the filing deadline. The motion was filed on January 4, 2002. Complaint Court was advised to file the