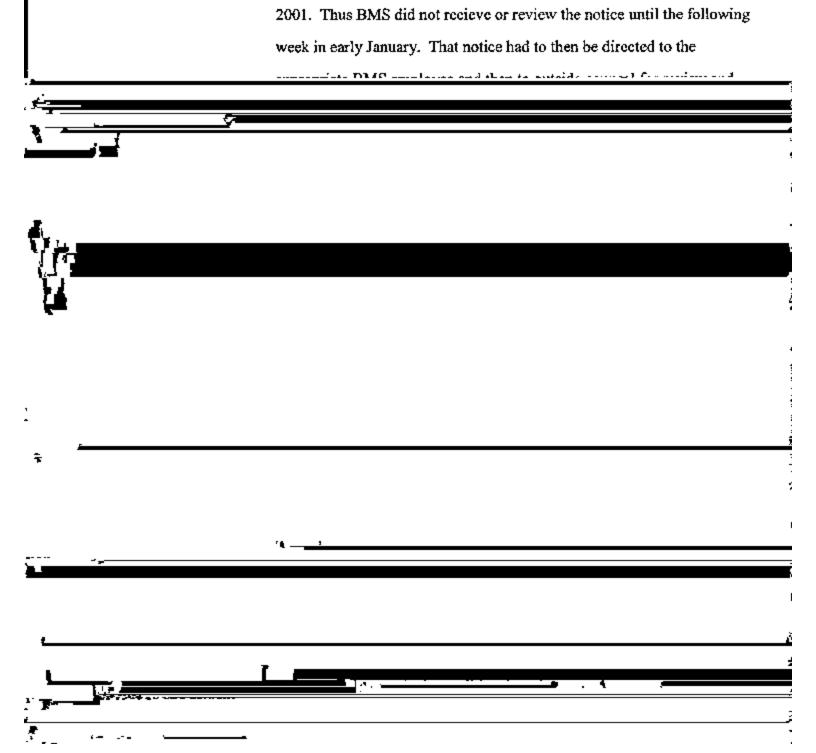


UNITED STATES OF AMERICA

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Civil Investigative Demand ("CID") on or about January 2, 2002, after the date for filing motions for *in camera* treatment of proposed trial exhibits had passed.

Upsher Smith's notice to BMS, delivered via air mail, was dated Friday, December 21, 2001. BMS was closed during the week of December 24,



3.

BRISTOL-MYERS SQUIBB

By: fadea C. Duvall.
One of its Attorneys

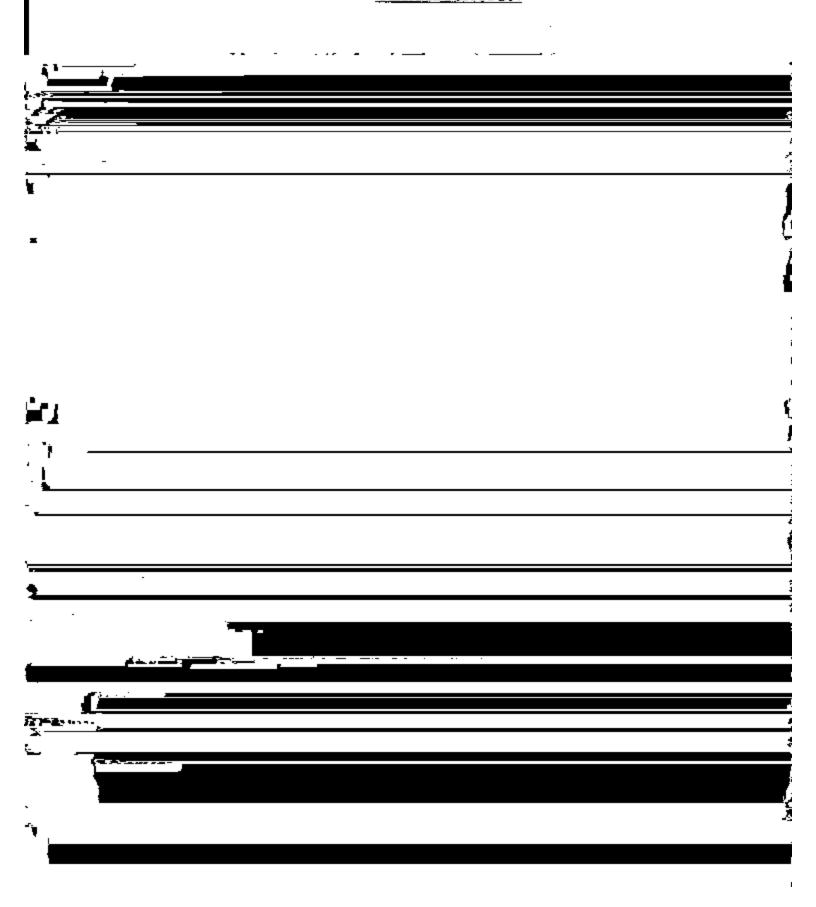
Andrea C. Duvall HOGAN & HARTSON L.L.P. 555 Thirteenth Street, N.W. Washington, D.C. 20004-1109 (202) 637-5600

Dated: January 15, 2002

UNITED STATES OF AMERICA BEFORE THE FEDERAL TRADE COMMISSION

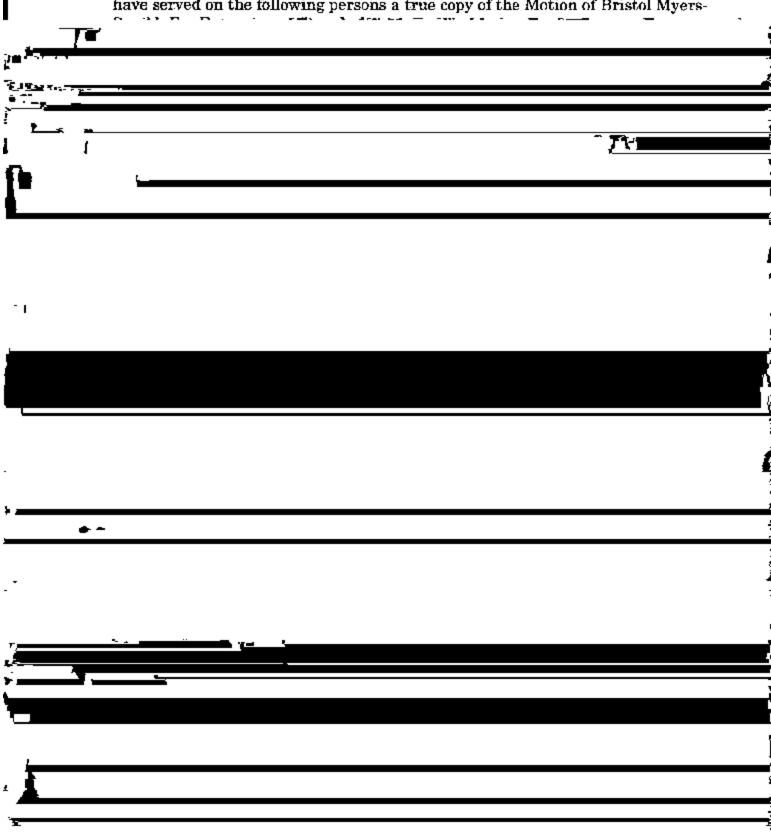
In the Matter of)
Schering-Plough Corporation, a corpotation,)
) Docket No. 9
Upsher-Smith Laboratories,)
a corporation,)
and	Ś
) .
American Home Products Corporation,)





CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of January, 2002, I caused to have served on the following persons a true copy of the Motion of Bristol Myers-



Washington, D.C 20004-2402

Christopher C. Curran, Esq. White & Case LLP 601 13th Street, N.W. Washington, D.C. 20005

Andrea C. Duvall

HOGAN & HARTSON L.L.P. 555 Thirteenth Street, N.W. Washington, D.C. 20004-1109

Andrea C. Davalle

(202) 637-5600