

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION



In the Matter of

SCHERING-PLOUGH CORPORATION,

Docket No. 9297

[Redacted]

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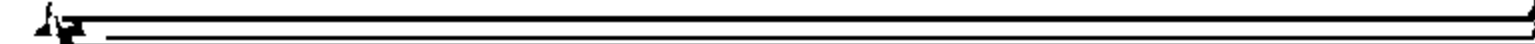

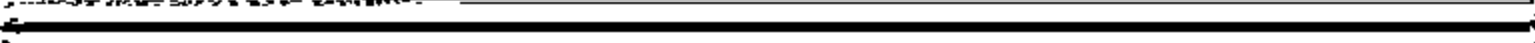







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Dr. Pitt also has served on the Cardiorenal Advisory Committee of the FDA, which reviews New Drug Applications ("NDA") submitted to the FDA's Cardiorenal division and provides recommendations as to their approval.⁷ He is or has been a member of numerous professional societies relating to cardiology⁸ and has authored or co-authored over 600



1. [REDACTED]

2. [REDACTED]

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91. [REDACTED]

92. [REDACTED]

93. [REDACTED]

94. [REDACTED]

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96. [REDACTED]

97. [REDACTED]

98. [REDACTED]

99. [REDACTED]

100. [REDACTED]



1991-1992 Annual Report of the Department of the Interior



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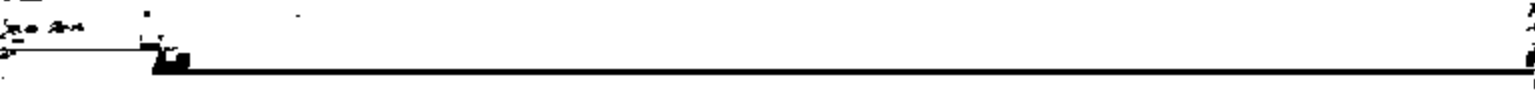




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The purpose of Rule 703 is to make available to the expert all of the kinds of things that an expert would normally rely upon in forming an opinion without requiring that these be admissible in evidence. Under the Rule, the expert is free to give his opinion relying upon the types of data an expert would normally use in

West Schriener has a right to be involved in an informal discussion involving one of the employees.

More fundamentally, Schering's complaints about Dr. Pitt's expected testimony are not grounded in the facts. For example, Schering suggests that the FDA officials who participated in the conversation with Dr. Pitt did not have the information necessary to render a reliable opinion.³³ As Dr. Pitt testified, however, he verbally provided to the FDA the relevant liver

Sphairin's guaranteed \$60 million in payments from July for a date which based on the stated

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[REDACTED]

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CERTIFICATE OF SERVICE

I hereby certify that this 22nd day of January, 2002, I caused a copy of the foregoing Public Version of Complaint Counsel's Opposition to Schering-Plough Corporation's Motion to Limit the Rebuttal Expert Testimony of Dr. Bertram Pitt Regarding Conversations With FDA Officials to be served upon the following person by hand delivery:

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

ATTACHMENT A

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION

In the Matter of

SCHERING-PLOUGH CORPORATION,
a corporation.

UPSHER-SMITH LABORATORIES, INC.,
a corporation.

and

AMERICAN HOME PRODUCTS

CORPORATION,
a corporation.

Docket No. 9297

REBUTTAL REPORT OF DR. BERTRAM PITT

The remaining pages of the expert report have been redacted.

ATTACHMENT B

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

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The remaining pages of the transcript have been redacted.

ATTACHMENT C

This document has been redacted.