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

RESPONSE OF COMPLAINT COUNSEL TO MOTIONS BY SCHERING AND UPSHER-SMITH FOR STAY PENDING THE COURT'S RULING ON RESPONDENTS' JOINT MOTION FOR A PROTECTIVE ORDER

Pursuant to the Court's October 18, 2001, Order Shortening Times for Response, Complaint Counsel notify the Court that we will not file an opposition to the joint motion of Respondents.

Complaint Counsel do not oppose a limited stay of Respondents' obligation to respond to Complaint Counsel's Second Requests for Admissions pending the Court's decision on Respondents' joint motion for a protective order striking the requests. However, if we are to maintain the revised schedule proposed in the Motion of All Parties to Revise Scheduling Order (filed October 17, 2001), Complaint Counsel need Respondents' replies to the requests by November 8 to prepare our rebuttal expert reports that are due November 15, 2001.

Respectfully submitted,

Martha Oppenheim
Complaint Counsel

Dated: October 19, 2001

CERTIFICATE OF SERVICE

I hereby certify that this 19th day of October 2001, I caused an original, one paper copy and an electronic copy of Response of Complaint Counsel to Motions by Schering and Upsher-smith for Stay Pending the Court's Ruling on Respondents' Joint Motion for a Protective Order to be filed with the Secretary of the Commission, and two paper copies to be served by hand delivery upon:

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

The following persons were served with one paper copy by first class mail and facsimile:

> Laura S. Shores, Esq.
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Martha Oppenheim