

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

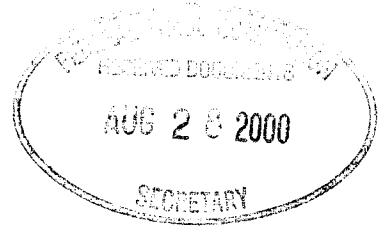
In the Matter of

HOECHST MARION ROUSSEL, INC., a corporation,
CARDERM CAPITAL L.P., a limited partnership,

and

ANDRX CORPORATION, a corporation.

Docket No. 9293



STIPULATION

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel, that Andrx Pharmaceutical Corporation's time to respond to Upsher-Smith's Motion to Quash Third-Party Subpoenae by Andrx Corporation (dated August 16, 2000) is extended through and including September 1, 2000, in order for the parties to have an opportunity to meet and confer in an attempt to resolve any issues in dispute.

Dated: August 21, 2000

By: Hal S. Shaftel
Hal S. Shaftel, Esq.
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Attorneys for Respondent
Andrx Pharmaceuticals, Inc.

Attorneys for Upsher-Smith Laboratories, Inc.

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BEFORE FEDERAL TRADE COMMISSION**

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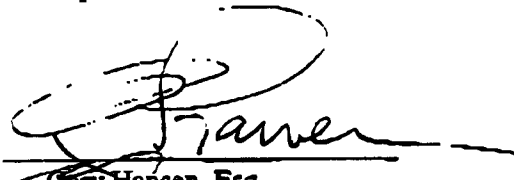
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Attorneys for Respondent
Andrx Pharmaceuticals, Inc.

Attorneys for Upsher-Smith Laboratories, Inc.

CERTIFICATE OF SERVICE

I, Hal S. Shaftel, hereby certify that on August 25, 2000, I caused to be served upon the following persons, by facsimile, the accompanying document: Stipulation (dated August 21, 2000):

Hon. D. Michael Chappell
Administrative Law Judge
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(By Overnight Delivery)

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HAL S. SHAFTEL