

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Timothy J. Muris, Chairman
Sheila F. Anthony
Mozelle W. Thompson
Orson Swindle
Thomas B. Leary

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

ORDER GRANTING COMPLAINT COUNSEL'S MOTION FOR AN EXTENSION OF TIME
FOR FILING A RESPONSE TO UPSHER-SMITH'S MOTION TO STRIKE

This matter is before the Commission on Complaint Counsel's Motion for an Extension of Time for Filing a Response to Upsher-Smith's Motion to Strike Complaint Counsel's Reliance on the July 2002 FTC Study. The Commission grants Complaint Counsel's motion.

On November 21, 2002, Respondent Upsher-Smith filed a Motion to Strike Complaint Counsel's Reliance on the July 2002 FTC Study. Under Commission Rule §3.22(c), the deadline for Complaint Counsel to respond is December 2, 2002.

On November 25, 2002, Complaint Counsel filed a motion for an extension of time in which to file a response to Upsher-Smith's motion. In support of their motion, Complaint Counsel note that the ten-day response period prescribed under Commission Rules encompasses the Thanksgiving holiday and involves an abbreviated work week. Complaint Counsel therefore request an additional week in which to file their response. Upsher-Smith has indicated that it does not oppose Complaint Counsel's request.

Pursuant to Commission Rule §3.22(c) and (d), Complaint Counsel's motion is hereby granted.

Accordingly,

IT IS ORDERED that Complaint Counsel's Motion for an Extension of Time for Filing a Response to Upsher-Smith's Motion to Strike Complaint Counsel's Reliance on the July 2002 FTC Study be, and it hereby is, **GRANTED**; and

IT IS FURTHER ORDERED that Complaint Counsel's response be filed no later than December 9, 2002.

By the Commission.



Donald S. Clark
Secretary

ISSUED: November 26, 2002

