

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

_____)
IN RE LORAZEPAM & CLORAZEPATE)
ANTITRUST LITIGATION)
_____)

**MDL Docket No. 1290 (TFH)
Misc. No. 99ms276 (TFH)**

This Order applies to:

HEALTH CARE SERVICE CORPORATION,)
et al.,)
Plaintiffs,)

Civ. No. 01-2646 (TFH/JMF)

v.

MYLAN LABORATORIES, INC.,)
et al.,)
Defendants.)

_____)
BLUE CROSS BLUE SHIELD)
OF MINNESOTA,)

BLUE CROSS BLUE SHIELD)
OF MASSACHUSETTS,)
and)

FEDERATED MUTUAL INSURANCE)
COMPANY,)
Plaintiffs,)

Civ. No. 02-1299 (TFH/JMF)

v.

MYLAN LABORATORIES, INC. et al.,)
Defendants.)
_____)

ORDER

Pending before the Court is Defendants' Motion for Clarification and/or Reconsideration

Regarding Out-of-State Damages.¹ It is hereby

ORDERED that the parties shall present oral arguments to the Court on that motion on Tuesday, February 4, 2004 at 10:00 a.m. Defendants shall proceed first and shall limit their argument to fifteen (15) minutes. Plaintiff HCSC shall then have fifteen (15) minutes to respond, and Defendants shall have five (5) minutes to reply if necessary. It is further

ORDERED that the parties should focus their arguments on at least the following issues:

(1) The timing of HCSC's acquisition of its Texas and New Mexico divisions, and whether HCSC purchased any rights and liabilities which allow it to bring a cause of action for relevant time periods before HCSC acquired those two divisions.

(2) Whether HCSC can show that any pertinent sales occurred in Illinois and, in conjunction with the fact that HCSC is incorporated in Illinois, whether such a showing (or lack thereof) permits Illinois law to regulate activities that occurred outside of Illinois.

It is further

ORDERED that the previously scheduled status hearing shall also occur at that time.

SO ORDERED.

January 23, 2004

/s/

Thomas F. Hogan
Chief Judge

¹ Civil No. 99mc0276 docket # 464 and Civil No. 01-2646 docket ## 52-53.