IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ALLERGAN, INC., and ALLERGAN SALES, LLC., Plaintiffs, v. ALCON INC., ALCON LABORATORIES, INC., and ALCON RESEARCH, LTD., Defendants.	**Civil Action No: 04-968-GMS**

ALCON'S THIRD NOTICE OF DEPOSITION TO ALLERGAN
PURSUANT TO FED. R. CIV. P. 30(b)(6)

Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, defendants, Alcon Inc., Alcon Laboratories, Inc. and Alcon Research Ltd. (collectively "Alcon"), will take the deposition of plaintiffs, Allergan, Inc. and Allergan Sales, LLC (collectively "Allergan"), at the offices of Orrick, Herrington & Sutcliffe LLP, 4 Park Plaza, Irvine, California 92614-2558, commencing at 9:00 a.m. on July 28, 2005, and continuing thereafter until completed. The deposition will be transcribed by an officer authorized to administer oaths, and may be recorded by videographic, audiographic, or other means. Pursuant to the Rule 30(b)(6), plaintiffs are required to designate one or more officers, directors, managing agents, or other persons who consent to testify on their behalf as to the matters listed in the Topics For Examination.

DEFINITIONS

To the extent applicable, the definitions in Alcon's First Requests for Production of Documents and Things shall apply to this Notice of Deposition.

TOPICS FOR EXAMINATION

1. Allergan's decision to select a 0.15%(w/v) brimonidine composition for evaluation in Phase III clinical trials, including the individuals in management who were involved in making that decision, the information relied on in making that decision, any meetings at which discussions leading to that decision took place, the communication of that decision to any members of the Brimonidine-X project team and all documents related in any way to Allergan's decision to use a 0.15%(w/v) brimonidine composition for in Phase III clinical trials.

Dated: July 12, 2005

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CERTIFICATE OF SERVICE

I, John W. Shaw, Esquire hereby certify that on July 12, 2005, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

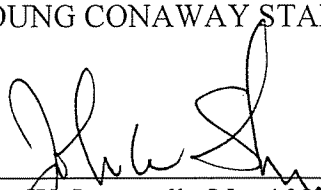
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I further certify that on July 12, 2005, I caused a copy of the foregoing document to be served on the following non-registered participants in the manner indicated:

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