IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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

ALLERGAN'S SECOND NOTICE OF DEPOSITION TO DEFENDANTS PURSUANT TO FED. R. CIV. P. 30(B)(6)

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, plaintiffs ALLERGAN, INC., and ALLERGAN SALES, LLC ("Allergan") will take the deposition of ALCON, INC., et al. ("Alcon") at the offices of Fish & Richardson, P.C., 5000 Bank One Center, 1717 Main Street, Dallas, Texas 75201, or such other location as agreed upon by the parties, commencing on August 16, 2005 at 9:30 a.m., 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.

The subject matters of the deposition are enclosed herein. Pursuant to the Federal Rules of Civil Procedure, defendants are required to designate one or more officers, directors, or managing agents, or other persons who consent to testify on defendants' behalf as to matters known or reasonable available to defendants.

DEFINITIONS

To the extent applicable, the definitions from plaintiffs' first request for production of documents shall apply to this notice.

TOPICS FOR EXAMINATION

1. Alcon's decision to develop a 0.15% brimonidine product, including identification of the individuals involved in the making of the decision, any meetings at which discussions of that decision took place, and any documents or other communications discussing that decision.

2. Any analysis that Alcon has done of the market for a 0.15% brimonidine product.

3. Alcon's decision to file its NDA Application for its 0.15% brimonidine product, including identification of the individuals involved in the making of the decision, any meetings at which discussions of that decision took place, and any documents or other communications discussing that decision.

4. All Alcon products that received market exclusivity from the FDA, including all Alcon products that were improvements or modifications to earlier Alcon products (e.g., line extensions).

5. The pricing and revenues Alcon projects for its 0.20% brimonidine tartrate product and its proposed 0.15% brimonidine tartrate product.

6. All Alcon products that have patents listed in the FDA's Orange Book including the patent numbers.

7. All lawsuits that Alcon has filed accusing a product of infringement after receiving a Paragraph IV letter from the manufacturer of the product, including the parties, location, and result of the lawsuit.

8. The size of Alcon's marketing and sales forces, including the number of persons employed in these functions and Alcon's annual budgets for these functions.

9. All deformulation testing of Allergan's Alphagan® P product, including identification of the individuals involved in the testing, any meetings at which discussions of that testing took place, and any documents or other communications discussing that testing.

10. All advantages of Allergan's Alphagan® P product over Alcon's 0.2% brimonidine product.

Dated: July 27, 2005

FISH & RICHARDSON P.C.

By: _____

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CERTIFICATE OF SERVICE

I hereby certify that on July 27, 2005, I electronically filed ALLERGAN'S SECOND NOTICE OF DEPOSITION TO DEFENDANTS PURSUANT TO FED. R. CIV. P. 30(B)(6) with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

Josy W. Ingersoll
Young Conaway Stargatt & Taylor, LLP
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, DE 19899-0391

I hereby certify that on July 27, 2005, I have mailed by United States Postal Service, the document(s) to the following non-registered participants:

Brian D. Coggio, Esq.
Orrick, Herrington & Sutcliffe LLP
666 Fifth Avenue
New York, NY 10103-0001

Sean P. Hayes