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TAB 5

ALLERGAN, INC., et al. v. ALCON, INC., et al.
Civil Action No. 04-968-GMS
PROPOSED SCHEDULE OF ALCON'S TRIAL EXHIBITS
January 17, 2006

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
DTX 1		File history for US Patent No. 6,627,210	AGN221797-AGN221922		Joint			
DTX 2		File history for US Patent No. 6,641,834	AGN221552-AGN221678		Joint			
DTX 3		File history for US Patent No. 6,673,337	AGN221679-AGN221786		Joint			
DTX 4		File history for U.S. Application 60/218,200			Joint			
DTX 5		Allergan's First Notice of 30(b)(6)		Allen 1; Bonakdar 1; Pfleger 1; Robertson 1;	Object to use by Alcon only, 402-403, 802			
DTX 6		Series of e-mails re Brimonidine PQ NDA Filing	ALC59238-ALC59242	Allen 2	Object to use by Alcon only, 402-403, 802			
DTX 7		Chart with GSFs Issues for Brimonidine NDA 21-764	ALC59283-ALC59285	Allen 3	Object to use by Alcon only, 402-403, 802			
DTX 8		Presentation: Falcon's Generic Drugs	ALC59470	Allen 8; Bhagat 5	Object to use by Alcon only,			

[1] Because of delays in the production of exhibit lists, Allergan reserves the rights to withdraw or modify objections, as it conducts a more thorough review of Alcon's proposed list. Allergan further objects to Alcon reserving the right to rely on any exhibit identified by either party.

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					402-403, 802			
DTX 9		Search results from lab notebook search: Brimonidine 11141	ALC59250-ALC59256	Allen 9	Object to use by Alcon only, 402-403, 802			
DTX 10		Series of e-mails re CRFs needed for	ALC59234-ALC59237	Allen 10	Object to use by Alcon only, 402-403, 802			
DTX 11		Comparison Slide Brimonidine PQ and Alphagan P	ALC53617 - ALC53618	Allen 15A &B	Object to use by Alcon only, 402-403, 802			
DTX 12		Brimonidine PQ Activities dated 05/21/2001	ALC53755-ALC53765	Allen 16; Bonakdar 19	Object to use by Alcon only, 402-403, 802			
DTX 13		Technical Report: Development Pharmaceutics Report for Brimonidine- Purite Ophthalmic Solution dated 06/12/2000	AGN0219201-AGN0219294	Ambrus 2				
DTX 14		Draft Technical Report: Development Pharmaceutics Report for Brimonidine Purite Ophthalmic Solution	AGN0061866-AGN0061956	Ambrus 3; Graham 8				
DTX 15		Technology Report: Technology Tranfer Report for Commercial Manufacture of Bimonidine-Purite	AGN0062667-AGN0062691	Ambrus 4; Graham 3				

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		0.15% and 0.2% Solutions dated 08/10/1999						
DTX 16		Brimonidine-Purite Ophthalmic Solution Phase II Topline Analysis Go/No Go Recommendation	AGN0066450-AGN0066493	Ambrus 5; Batoosingh 12; Olejnik 39				
DTX 17		U.S. Patent No. 6,673,337 B2		Ambrus 11; Amidon 4; Bhagat 12; Espino 16; Fisher 5; Kerslake 2; Olejnik 4; Olejnik 46; Ryan 7; Shah 4; Small 7; Stella 1; Wilson 5	Joint			
DTX 18		Memo from Ambrus to Hughes re Performulation Technical Report (Solubility Brimonidine-Tartrate in Formulation 9115X Placebo), dated 08/12/2004	AGN0219182-AGN0219197	Ambrus 12; Graham 9; Olejnik 14; Olejnik 18; Olejnik 19				

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
DTX 19		Excerpts from lab notebook	AGN0062956-AGN0062989	Ambrus 13; Padilla 8; Olejnik 15	Incomplete Document			
DTX 20		Draft Technical Report: Solubility of Brimonidine Tartrate in Formulation 9115X Placebo	AGN0220015-AGN0220025	Ambrus 14; Olejnik 12; Olejnik 21				
DTX 21		Excerpts from lab notebook no. L-1998- 5384	AGN0062894-AGN0063003	Ambrus 15; Olejnik 23; Olejnik 24; Padilla 8				
DTX 22		Excerpts from lab notebook no. R-1997- 4303	AGN0062806-AGN0062889	Ambrus 16; Olejnik 24; Padilla 7	Incomplete Document			
DTX 23		Alcon's Third 30(b)(6) Notice		Aswad 1	402-403			
DTX 24		Memo from Olejnik to Garst, et al. re Brimonidine-Purite Phase III Go/No Go Pre-Meeting Document, dated 05/27/1998	AGN0199988-AGN0200040	Aswad 2				
DTX 25		Memo from Aswad to Team re Brimonidine X Clinical Development Plan, dated 10/15/1997	AGN0063322-AGN0063326	Aswad 3; Batoosingh 9; Small 5	402-403, 802			
DTX 26		Brimonidine X PRC Update November 19, 1997	AGN0220026-AGN0220073	Aswad 4; Batoosingh	402-403, 802			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
				10; Burke 16; Kerslake 12; Olejnik 36				
DTX 27		Brimonidine X Team Meeting Minutes, dated 04/10/1998	AGN0220208-AGN0220211	Aswad 5	402-403, 802			
DTX 28		Memo from Firestone to Boyer, et al. re Brimonidine-Purite Technology Transfer Report II, dated 04/29/1998	AGN0070183-AGN0070214	Aswad 6; Graham 4; Padilla 3	402-403, 802			
DTX 29		Brimonidine-Purite Ophthalmalic Solution Worldwide Integrated Development Plan US Only, dated 05/27/1998	AGN0220492-AGN0220529	Aswad 7	402-403, 802			
DTX 30		Brimonidine-Purite Ophthalmic Solution Worldwide Integrated Development Plan US Only, dated 12/01/1998	AGN0062256-AGN0062293	Aswad 8; Kerslake 15; Olejnik 40	402-403, 802			
DTX 31		Brimonidine X Team Meeting Minutes, dated 06/26/1998	AGN0220220-AGN0220222	Aswad 10; Batoosingh 14; Olejnik 41; Small 6				
DTX 32		Memo from Kerslake and Olejnik to Pfleger re Alphagan reformulation, dated 06/09/1998	AGN0199976-AGN0199977	Aswad 12; Batoosingh 13; Kerslake	402-403, 802			

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				13; Mundorf 8; Olejnik 38; Stella 8; Wilson 8				
DTX 33		Memo from Aswad to Team re Brimonidine Reformulation Subteam Meeting December 16, 1996	AGN0220181-AGN0220184	Batoosingh 1; Burke 12				
DTX 34		E-mail from Devoge to Gunning re Brimonidine Reformulation, dated 01/13/1997	AGN0063189-AGN0063190	Batoosingh 3	402-403, 802			
DTX 35		Brimonidine-Purite Ophthalmic Solution Worldwide Integrated Development Plan US Only, dated 11/01/1998	AGN0061434-AGN0061471	Batoosingh 17; Garber 16	402-403, 802			
DTX 36		Declaration of Amy Batoosingh, received 03/28/2003	ALC41812-ALC41820	Batoosingh 19; Whitcup 22	Part of File History; Incomplete Document			
DTX 37		Rosenthal, et al, Comparison of the safety and efficacy of Brimonidine 0.2%, BID verses TID, in subjects with elevated intraocular pressure		Batoosingh 20	402-403			
DTX 38		Rosenthal, et al, Comparison of the		Batoosingh	402-403			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		safety and efficacy of Brimonidine 0.2%, BID verses TID, in subjects with elevated intraocular pressure		21				
DTX 39		Memo from Stagg to Team re Regulatory Issues of Generic Registration for Allergan Products, dated 06/05/1998	AGN0199975	Batoosingh 22	402-403, 802			
DTX 40		Letter from Woodcock to Mahn re Docket No. 02P-0469/CP1, dated 05/21/2003		Batoosingh 23; Robertson 12; Whitcup 7	402-403			
DTX 41		Portion of file history for U.S. Patent No. 6,641,834	AGN0221552-AGN0221678	Batoosingh 24; Fisher 4; Olejnik 9 Robin 8	Joint; Incomplete Document			
DTX 42		E-mail from Espino to Griffin re Brimonidine PQ Development Report, dated 09/08/2004			Object to use by Alcon only, 402-403, 802			
DTX 43		Proposed Formulation for Alcon's Brimonidine PQ Ophthalmic Solution, 0.15%	ALC53579-ALC53580	Bhagat 7	Object to use by Alcon only, 402-403, 802			
DTX 44		Alcon's Proposed Formulation for Brimonidine PQ Ophthalmic Solution	ALC53986-ALC53988	Bhagat 8	Object to use by Alcon only, 402-403, 802			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
DTX 45		Brimonidine PQ Ophthalmic Solution 0.15%	ALC19956-ALC19962	Bhagat 9; Bonakdar 5	Object to use by Alcon only, 402-403, 802			
DTX 46		U.S. Patent No. 6,641,834 B2		Bhagat 11; Espino 10; Fisher 3; Graham 16; Kerslake 1; Olejnik 5; Pereira 8; Robin 4; Ryan 16; Small 8; Stella 2; Underwood 9	Joint			
DTX 47		U.S. Patent No. 6,627,210 B2		Bhagat 13; Espino 12; Fisher 1; Kerslake 5; Olejnik 3; Ryan 4	Joint			
DTX 48		Allergan's Second 30(b)(6) Notice		Bonakdar 2 Herrick 1	Object to use by Alcon only, 402-			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
				Robertson 2	403, 802			
DTX 49		E-mail from Bonakdar to Wang re Brimonidine PQ 3rd Quarterly Report 2003	ALC50090-ALC50092	Bonakdar 10; Espino 4; Ryan 2	Object to use by Alcon only, 402-403, 802			
DTX 50		ANDA Team Meeting Minutes 06/18/2001	ALC59348-ALC5934	Bonakdar 11	Object to use by Alcon only, 402-403, 802			
DTX 51		E-mail from Espino to Handley re Brimonidine PQ Slides, dated 09/05/2003	ALC50124-ALC50177	Bonakdar 13; Espino 2	Object to use by Alcon only, 402-403, 802			
DTX 52		Burke, et al, 1986, Ocular Effects of a Relatively Selective a2 Agonist (UK-14, 304-18) in Cats, Rabbits and Monkeys	ALC60502-ALC60514	Burke 1	402-403			
DTX 53		Burke, et al, 1989, Can UK-14, 304-18 Lower IOP in Rabbits by a Peripheral Mechanism?	ALC60515-ALC60521	Burke 2	402-403			
DTX 54		U.S. Patent No. 5,021,410	ALC59864-ALC59871	Burke 3; Mundorf 12; Robin 7	402-403			
DTX 55		Annual Spring Meeting of Association for Research in Vision and Ophthalmology Seminars, 04/1991	ALC60522-ALC60523	Burke 4	402-403			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
DTX 56		Reis, et al, The Imidazoline Receptor: Pharmacology, Functions, Ligands and Relevance to Biology and Medicine	ALC60526-ALC60536	Burke 5	402-403			
DTX 57		Arvo Annual Spring Meeting Abstracts, 04/1991		Burke 6	402-403			
DTX 58		Arvo Annual Spring Meeting Abstracts, 04/1993		Burke 7	402-403			
DTX 59		Burke, et al, Preclinical Evaluation of Brimonidine	ALC60537-ALC60547	Burke 8	402-403			
DTX 60		U.S. Patent No. 5,180,721	ALC59905-ALC59914	Burke 9	402-403			
DTX 61		U.S. Patent No. 5,281,591	ALC60162-ALC60171	Burke 10	402-403			
DTX 62		U.S. Patent No. 5,215,991	ALC59919-ALC59930; AGN221188-AGN221199	Burke 11; Fisher 8; Graham 18; Olejnik 27	402-403			
DTX 63		Brimonidine Reformulation Subteam Meeting 12/16/1996	AGN220181-AGN0220183	Burke 12				
DTX 64		Allergan R&D Project Brimonidine X 0.2%, dated 09/15/1997	AGN0220915-AGN0220916	Burke 15; Olejnik 34	402-403, 802			
DTX 65		Portion of file history for U.S. Patent No. 6,627,210	AGN0221797-AGN0221922	Burke 18; Fisher 2;	Incomplete Document; Joint			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
				Graham 19; Kerslake 3; Olejnik 7				
DTX 66		E-mail attaching Results of solubility study of formulations of Brimonidine Tartrate	ALC58386-ALC58388	Espino 14; Ryan 5	Object to use by Alcon only, 402-403, 802			
DTX 67		File History for U.S. Patent No. 6,673,337	ALC41075-ALC41187	Fisher 6; Olejnik 8	Joint			
DTX 68		Relationship of Formulation Patents		Fisher 7	402-403, 802, 901			
DTX 69		Olejnik, "Conventional systems in ophthalmic drug delivery",		Fisher 9	402-403			
DTX 70		Small, et al, Influence of pH and buffer concentration on the ocular bioavailability of ophthalmic AGN 191103 formulations in albino rabbits		Fisher 10	402-403			
DTX 71		Walters, Development and use of brimonidine in treating acute and chronic elevations of intraocular pressure: A review of safety, efficacy, dose response, and dosing studies		Fisher 11	402-403			
DTX 72		U.S. Patent Application Publication No. US 2003/0153530 Al and File History		Fisher 12	402-403			

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DTX 73		Alcon's First 30(b)(6) Notice		Garber 2	402-403			
DTX 74		Allergan's Answers to Alcon's First Set of Requests for Production of Documents and Things (Nos. 1-26)		Garber 3	402-403			
DTX 75		Allergan's Response to Alcon's Second Set of Requests for Production of Documents and Things (Nos. 27-34)		Garber 4	402-403			
DTX 76		Allergan's Response to Defendant's Third Set of Requests for Production of Documents and Things		Garber 5	402-403			
DTX 77		Allergen's Response to Alcon's Fourth Set of Requests for Production of Documents and Things		Garber 6	402-403			
DTX 78		Memo from Firestone re Technology Transfer Report II for Phase 3 Manufacture of Brimonidine-Purite 0.1% and 0.2% Solutions, dated 04/29/1998	AGN0070183-AGN070214	Garber 7				
DTX 79		Technical Report: Stability of Purite in Brimonidine-Purite (Brimo X), dated 09/28/1999	AGN0062347-AGN0062395	Garber 17	402-403, 802			
DTX 80		Comparison of Ocular and Systemic Bioavailability of three 0.10%	AGN0219870-AGN0219904	Garber 21				

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		Brimonidine Purite Formulations to that of 0.15% Alphagan P in Albino Rabbits, dated 11/25/2002						
DTX 81		E-mail from Firestone to list re Brimo X NDA CMC 1 draft compilation, dated 01/05/2000	AGN0221021-AGN0221058	Graham 6	402-403, 802			
DTX 82		Patent Publication No US 2005/0026924 Al and File History		Graham 15 Robin 9	402-403			
DTX 83		File History U.S. Patent No. 6,641,834		Graham 17	Joint			
DTX 84		from Graham to Padilla re Brimo solubility in other viscosity agents, dated 03/03/2003 E-mail	AGN0219118	Graham 20; Olejnik 29; Padilla 9	402-403, 802			
DTX 85		Publication No. US 2005/0014691 Patent Al		Graham 21	402-403			
DTX 86		Declaration for Patent Application	AGN0221858	Kerslake 4	Incomplete Document; Joint			
DTX 87		Product Information Sheet for Alphagan		Kerslake 6				
DTX 88		Presentation: Alphagan SR Worldwide Product Profile	AGN0219720-AGN0219732	Kerslake 7	402-403, 802			
DTX 89		Flow Chart: Evaluate Options to Extend Market Exclusivity	AGN0219717-AGN0219719	Kerslake 8; Olejnik 30	402-403, 802			
DTX 90		Brimonidine X Go/No Go Decision	AGN0063187-	Kerslake 9	Incomplete			

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			AGN0063188		Document			
DTX 91		Presentation: Brimonidine X by Edward Kerslake	AGN0220053-AGN0220059	Kerslake 11	402-403, 802			
DTX 92		Summary of Alphagan Formulations	AGN0061393	Kerslake 16	402-403, 802, 901			
DTX 93		Lab Notebook No. R-1997-4284	AGN0066777-AGN0066918	Kerslake 17; Olejnik 22; Padilla 6				
DTX 94		Alcon's Second Notice of Deposition to Allergan Pursuant to Fed. R. Civ. P. 30(b)(6)		Olejnik 2	402-403			
DTX 95		Relationship of Formulation Patents		Olejnik 6	402-403, 802, 901			
DTX 96		Technical Report: pH solubility profile of AGN 190342-LF in the vehicle for 0.5% AGN 190342-LF ophthalmic solution, dated 04/12/1994	AGN0220006-AGN0220014	Olejnik 10; Olejnik 17				
DTX 97		U.S. Patent Application Publication No. US 2005/0026924 Al		Olejnik 11	402-403			
DTX 98		Technical Report: Solubility of Brimonidine Tartrate Formulation 9115X Placebo	AGN0066241-AGN0066252	Olejnik 13				
DTX 99		Excerpts from Lab Notebook No R-1990- 2031	AGN0223149-AGN0223157	Olejnik 16				
DTX 100		Technical Report: Solubility of	AGN0066571-	Olejnik 20	Duplicate			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		Brimonidine Tartrate Formulation 9115X Placebo (not issued)	AGN0066582					
DTX 101		Lab Notebook No L-1998-5384	AGN0062894-AGN0063003	Olejnik 23	Incomplete Document			
DTX 102		Declaration of Orest Olejnik	ALC40888-ALC40889	Olejnik 26; Whitcup 34	Incomplete Document, Part of File History			
DTX 103		U.S. Pate Application Publication No. US 2005/0014691 Al		Olejnik 28	402-403			
DTX 104		Formulation Report for Brimonidine with Purite and CMC, dated 09/24/1997	AGN0062231-AGN0062240	Padilla 1	402-403, 802			
DTX 105		Formula Card for Brimonidine Tartrate 0.2% Solution with Purite and CMC, dated 05/20/1998	AGN0070630	Padilla 4	402-403, 802			
DTX 106		Excerpts from Lab Notebook No. R-1997- 4319	AGN0066591-AGN0066729	Padilla 5	Incomplete Document			
DTX 107		Excerpts from Lab Notebook No. L-1997- 5028	AGN0062841-AGN0062889	Padilla 7	Incomplete Document			
DTX 108		Lab Notebook L-1998-5384	AGN0062894-AGN0062996	Padilla 8				
DTX 109		Excerpts from lab notebook project no 225568 pH calibration	ALC58337-ALC58354	Pereira 1	Object to use by Alcon only,			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
					402-403, 802			
DTX 110		Excerpts from lab notebook project no 225568 pH calibration	ALC58256-ALC58275	Bonakdar 14; Pereira 2; Underwood 3	Object to use by Alcon only, 402-403, 802			
DTX 111		Excerpts from lab notebook project no 225568 Brimonidine PQ	ALC58332-ALC58336	Pereira 3	Object to use by Alcon only, 402-403, 802			
DTX 112		Excerpts from lab notebook project no 225568 Brimonidine PQ 0.5%	ALC58277-ALC58290	Pereira 6	Object to use by Alcon only, 402-403, 802			
DTX 113		Lab Notebook Brimonidine PQ vehicle w/o PVP	ALC58291-ALC58299	Pereira 7	Object to use by Alcon only, 402-403, 802			
DTX 114		Pre-IND/EOP2 Meeting Minutes - 01/19/2003	ALC59341-ALC59346	Pfleger 2	Object to use by Alcon only, 402-403, 802			
DTX 115		Excerpts from Alcon NDA 21-764	AL000124-AL000127	Pfleger 4	Object to use by Alcon only, 402-403, 802			
DTX 116		Excerpts from Alcon NDA 21-764	AL000167-AL000182	Pfleger 5	Object to use by Alcon only, 402-403, 802			
DTX 117		Results of Solubility Study of	ALC59338	Ryan 8	Object to use by			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		Formulations of Brimonidine Tartrate			Alcon only, 402-403, 802			
DTX 118		Brimonidine X Team List	AGN0063112	Small 1				
DTX 119		Small, et al, Influence of pH and buffer concentration on the ocular bioavailability of ophthalmic AGN 191103 formulations in albino rabbits	ALC60755-ALC60761	Robin 6 Small 2	For Identification Purposes Only, 402-403			
DTX 120		Small et al, Increasing pH of ophthalmic AGN 191103 formulation increases ocular but not systemic bioavailability in albino rabbits		Mundorf 13; Small 3	402-403, 802			
DTX 121		Pharmacokinetics and Drug Metabolism Departmental Research Report, dated 03/17/1998	AGN0064117-AGN0065128	Small 4				
DTX 122		Excerpts from lab notebook project no 226242 Brimonidine Tartrate 0.15%	ALC23448-ALC23450	Underwood 1	Object to use by Alcon only, 402-403, 802			
DTX 123		Excerpts from lab notebook project no 226242 Brimonidine Tartrate PQ	ALC23506-ALC23562	Underwood 2	Object to use by Alcon only, 402-403, 802			
DTX 124		Stability Data Generated for Brimonidine 0.15%	ALC058401-ALC058404	Underwood 4	Object to use by Alcon only, 402-403, 802			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
DTX 125		Excerpts from lab notebook project no 99556R Rrimonidine Tartrate PO	ALC23983-ALC23988	Underwood 5	Object to use by Alcon only, 402-403, 802			
DTX 126		Excerpts from lab notebook project no 225568 Brimonidine Tartrate PQ	ALC58363-ALC58365	Underwood 6	Object to use by Alcon only, 402-403, 802			
DTX 127		Excerpts from lab notebook project no 225568 Brimonidine Tartrate Opthalmic Solution	ALC58366-ALC58378	Underwood 7	Object to use by Alcon only, 402-403, 802			
DTX 128		Brimonidine Purite Ophthalmic Solution Worldwide Integrated Development Plan, dated 12/10/1998	AGN0220914	Whitcup 2	402-403, 802			
DTX 129		Mundorf et al, A 3-month comparison of efficacy and safety of brimonidine-purite 0.15% and brimonidine 0.2% in patients with glaucoma or ocular hypertension	AGN0220126-AGN0220133	Whitcup 12; Mundorf 5		For Identification Purposes Only		
DTX 130		Dong et al., 2004, Effects of Preservative Purite on the Bioavailability of Brimonidine in the Aqueous Humor of Rabbits	AGN0219486-AGN0219493	Whitcup 13		For Identification Purposes Only		
DTX 131		Dong et al., 2004, Effects of Preservative Purite on the	AGN0222959-AGN0222970	Whitcup 14	402-403	For Identification Purposes Only		

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		Bioavailability of Brimonidine in the Aqueous Humor of Rabbits						
DTX 132		E-mail re from Whitcup to list re Formulation on the Aqueous Humor Concentration on Brimonidine, dated 01 / 15/2004	AGN0222985-AGN0222986	Whitcup 15	402-403, 802			
DTX 133		E-mail from Dong to list re Formulation on the Aqueous Humor Concentration on Brimonidine, dated 01/15/2004	AGN0222987-AGN0222988	Whitcup 16	402-403, 802			
DTX 134		E-mail from Dong to list re Formulation on the Aqueous Humor Concentration on Brimonidine, dated 01/15/2004	AGN0222991-AGN0222992	Whitcup 17	402-403, 802			
DTX 135		Chart of Aqueous Humor Brimonidine Concentration	AGN0222993-AGN0222994	Whitcup 18	402-403, 802			
DTX 136		Chart of Aqueous Humor Brimonidine Concentration	AGN0222995	Whitcup 19	402-403, 802			
DTX 137		E-mail from Whitcup to list re Formulation on the Aqueous Humor Concentration on Brimonidine, dated 01/15/2004	AGN0222997-AGN0222998	Whitcup 20	402-403, 802			
DTX 138		Alphagan P product description		Whitcup 27	402-403, 802			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
DTX 139		Wilson, Topical Drug Delivery in the Eye	AGN0224544-AGN0224550	Whitcup 29	402-403			
DTX 140		Remington's Pharmaceutical Sciences, Chapter 86, 18th Ed., 1990			Prior Art of Record, Joint			
DTX 141		Expert Report of Valentino Stella			For Joint Identification Purposes Only			
DTX 142		Curriculum vitae of Valentino Stella (Exhibit A to Stella Report)			Joint			
DTX 143		U.S. Patent No. 6,641,834 B2 (Exhibit B to Stella Report)	AGN0068164-AGN0068174		Joint			
DTX 144		U.S. Patent No. 6,673,337 B2 (Exhibit C to Stella Report)	AGN0067966-AGN0067976		Joint			
DTX 145		List of Materials Reviewed by V. Stella (Exhibit D to Stella Report)			Joint			
DTX 146		Infringement Claim Chart for '834 Patent (Exhibit E to Stella Report)			Joint			
DTX 147		Infringement Claim Chart for '337 Patent (Exhibit F to Stella Report)			Joint			
DTX 148		Remington's Pharmaceutical Sciences, 18th Ed., 1990, p. 1589 (Exhibit G to Stella Report)			Joint			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
DTX 149		PF-2004-009 Preformulation Technical Report (The Solubility of Brimonidine Tartrate in Formulation 9115X Placebo) (Exhibit H to Stella Report)	AGN0219182-AGN0219197		Joint			
DTX 150		Alphagan P Description (Exhibit I to Stella Report)			Joint			
DTX 151		3.B.2. Draft Carton Labels from Alcon's NDA 21-764 (Exhibit J to Stella Report)	ALC00101-ALC00110		Joint			
DTX 152		Alcon's Responses to Allergan's First Set of Interrogatories (Nos. 1-7) (Exhibit K to Stella Report)			Joint			
DTX 153		Expert Report of C. Wilson with exhibits (Exhibit L to Stella Report)			Joint			
DTX 154		Errata to Expert Report of Valentino Stella			For Joint Identification Purposes Only			
DTX 155		Rebuttal Expert Report of Valentino Stella			For Joint Identification Purposes Only			
DTX 156	10/3/05	Statistical Analysis (two way ANOVA) of Brimonidine Solubility Study at RT for 0% & 1.2% PVP			Error			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		(Appendix C to Stella Rebuttal Report)						
DTX 157		Determination of Brimonidine in Supernatant by HPLC (Appendix D to Stella Rebuttal Report)			Error			
DTX 158		Expert Report of Clive Wilson			For Joint Identification Purposes Only			
DTX 159		Curriculum vitae of Clive Wilson (Appendix A to Wilson Report)			Joint			
DTX 160		List of Materials Reviewed by C. Wilson (Exhibit B to Wilson Report)			Joint			
DTX 161	10/03/05	Statistical Analysis (two way ANOVA) of Brimonidine Solubility Study at RT for 0% & 1.2% PVP (Appendix C to Wilson Report)			Joint			
DTX 162		Determination of Brimonidine in Supernatant by HPLC (Appendix D to Wilson Report)			Joint			
DTX 163		Expert Report of Alan Robin			For Joint Identification Purposes Only			
DTX 164		Curriculum vitae for Alan Robin (Exhibit 1 to Robin Report)			For Joint Identification			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
					Purposes Only			
DTX 165		List of Materials Considered by Alan Robin in Connection with his Expert Report (Exhibit 2 to Robin Report)			For Joint Identification Purposes Only			
DTX 166		Derick, et al., 1997, Brimonidine Tartrate A One-Month Dose Response Study",	ALC60581-ALC60586	Mundorf 11; Robin 5; Stella 7	For Joint Identification Purposes Only			
DTX 167	10/06/05	First Expert Report of Gordon L. Amidon, Ph.D.		Amidon 1	For Joint Identification Purposes Only			
DTX 168		List of Material Considered by Gordon Amidon in Connection with his Expert Report (Appendix A to Amidon Report)			For Joint Identification Purposes Only			
DTX 169		List of Acids and Bases (Appendix B to Amidon Report)			For Joint Identification Purposes Only			
DTX 170		Curriculum vitae for Gordon Amidon (Exhibit 1 to Amidon Report)			For Joint Identification Purposes Only			
DTX 171	10/24/05	Errata to the First Expert Report of Gordon L. Amidon, Ph.D.			For Joint Identification Purposes Only			
DTX 172	11/04/05	Second Expert Report of Gordon L.		Amidon 2	For Joint			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		Amidon			Identification Purposes Only			
DTX 173		Expert Report of Thomas Mundorf			For Joint Identification Purposes Only			
DTX 174		Curriculum vitae of Thomas Mundorf (Exhibit A to Mundorf Report)			Joint			
DTX 175		List of Materials Revied by T. Mundorf (Exhibit B to Mundorf Report)			Joint			
DTX 176		Alphagan P Product Information	AGN0066969-AGN0066971	Mundorf 3				
DTX 177		Letter to Pfleger from Chambers re NDA 21-764	ALC61307-ALC61315					
DTX 178	02/04/05	Plaintiffs Allergan, Inc. and Allergan Sales, LLC's Supplemental Responses to Defendants' Interrogatories Nos. 1 and 5			402-403			
DTX 179		Portion of Provisional Application No. 60/218,200	AGN0063393-AGN0063442; ALC41188-ALC41242		402-403			
DTX 180		Alcon's Responses 48 and 52 to			Object to use by			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		Allergan's First Set of Requests for Production of Documents and Things (Nos. 1-57)			Alcon only, 402-403, 802			
DTX 181	05/06/05	Plaintiffs' Response to Defendants' First Set of Requests for Admissions (Nos. 1-26)			402-403			
DTX 182	05/06/05	Plaintiffs' Response to Defendants' Second Set of Interrogatories (Nos. 12)			402-403			
DTX 183	12/27/04	Alcon's Responses to Allergan's First Set of Interrogatories (Nos. 1-7)			Object to use by Alcon only, 402-403, 802			
DTX 184	04/20/05	Joint Claim Chart			402-403			
DTX 185		Approved Labeling for Alphagan®						
DTX 186		Approved Labeling for Alphagan® P						
DTX 187		U.S. Patent No. 6,358,935 B 1			402-403			
DTX 188		Alcon Biostatistics Efficacy Analysis Plan, dated 12/20/2002	ALC18528-ALC18257		Object to use by Alcon only, 402-403, 802			
DTX 189		Brimonidine PQ Ophthalmic Solution 0.2%	ALC19599		Object to use by Alcon only, 402-403, 802			
DTX 190		Shhelf-life Specifications Brimonidine PQ Ophthalmic Solution 0.2%	ALC19600		Object to use by Alcon only,			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
					402-403, 802			
DTX 191		Brimonidine PQ Ophthalmic Solution 0.15%	ALC19588		Object to use by Alcon only, 402-403, 802			
DTX 192		Shelf-life Specifications for Brimonidine PQ Ophthalmic Solution 0.15%	ALC19589		Object to use by Alcon only, 402-403, 802			
DTX 193		Brimonidine PQ Ophthalmic Solution Vehicle	ALC19609		Object to use by Alcon only, 402-403, 802			
DTX 194		Shelf-life Specifications for the Brimonidine PQ Vehicle	ALC19610		Object to use by Alcon only, 402-403, 802			
DTX 195		Excerpts from Alcon Laboratory Notebook No 9243, Project No 22-6242	ALC19651-ALC 19662		Object to use by Alcon only, 402-403, 802			
DTX 196		Excerpts from lab notebook no 8797, project no 22-6242	ALC 19680-ALC19685		Object to use by Alcon only, 402-403, 802			
DTX 197		Excerpts from lab notebook no 9510, project no 22-5568	ALC19880-ALC19885		Object to use by Alcon only, 402-403, 802			
DTX 198		Excerpts from lab notebook no9639,	ALC19936-		Object to use by			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		project no 22-5568	ALC19939		Alcon only, 402-403, 802			
DTX 199		Alcon's FID Formulation Reports	ALC20405-ALC20427		Object to use by Alcon only, 402-403, 802			
DTX 200		Excerpts from lab notebook no. 9437, project no 22-4246	ALC23426-ALC23433		Object to use by Alcon only, 402-403, 802			
DTX 201		Letter from Mahn to FDA, dated 10/25/2002 and Letter from J. Woodcock to T. Mahn dated 04/24/03	AGN0224710-AGN0224719	Mundorf 9	402-403, 802			
DTX 202		Katz, Twelve-month evaluation of brimonidine-purite versus brimonidine in patients with glaucoma or ocular hypertension	AGN0065049-AGN0065056		Part of File History			
DTX 203		U.S. Patent No 5,021,416			Art of Record			
DTX 204		U.S. Patent No 5,215,991			Art of Record			
DTX 205		U.S. Patent No 5,459,133			Art of Record			
DTX 206		U.S. Patent No 5,703,077			Art of Record			
DTX 207		U.S. Patent No 5,719,197			Art of Record			
DTX 208		U.S. Patent No 6,358,935			Art of Record			
DTX 209		U.S. Patent No. 6,024,976			402-403			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
DTX 210		U.S. Application No 2002/0032201			Art of Record			
DTX 211		U.S. Application No 2002/0071874			Art of Record			
DTX 212		U.S. Application No 2002/0010202			Art of Record			
DTX 213		W000/12137			Art of Record			
DTX 214		Experimental testing data by Amidon	ALC61175-ALC61244		Obect to use by Alcon only, 402-403, 802, 702-703			
DTX 215		Brimonidine solubility data	ALC58405-ALC58420		Obect to use by Alcon only, 402-403, 802, 702-703			
DTX 216		Brimonidine solubility data	ALC58424-ALC58432		Obect to use by Alcon only, 402-403, 802, 702-703			
DTX 217		Acheampong, Formulation effects on ocular absorption of brimonidine in rabbit eyes	AGN0219473-AGN0219485		402-403, 802			
DTX 218		Chien, et al, 1990, Corneal and conjunctive/scleral penetration of P-aminoclonidine, AGN 190342, and clonidine in rabbit eyes	ALC60548-ALC60559		402-403			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
DTX 219		Derick et al., 1993, Brimonidine Tartrate: A one month dose response study (Abstract)			402-403			
DTX 220		W.O. Foye et al, 1995, Principle in Medicinal Chemistry, 4th ed. 16-21			402-403			
DTX 221		Goodman and Gilman's The Pharmacological Basics of Therapeutics, 1990 8th ed. 3-6			402-403			
DTX 222		M.C. Leske et al, 2003, Factors for glaucoma progression and the effects of treatment			402-403			
DTX 223		Mundorf et al, 2004, Erratum: A 3-month comparison of efficacy and safety of brimonidine-purite 0.15% and brimonidine 0.2% in patients with glaucoma or ocular hypertension			402-403			
DTX 224		P. Suhonen et al, 1991, Permeability of pilocarpic acid diesters across albino rabbit cornea in vitro			402-403			
DTX 225		K.C. Swan and N.G. White, 1942, Corneal permeability: Factors affecting penetration of drugs into the cornea	ALC60768-ALC60782		402-403			
DTX 226		Vocci et al, 1992, Reformulation and			402-403			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		drop size of apraclonidine hydrochloride						
DTX 227		U.S. Patent No 5,834,470			402-403			
DTX 228		U.S. Patent No 5,091,528			402-403			
DTX 229		U.S. Patent No 5,776,445			402-403			
DTX 230		U.S. Patent No 5,663,205			402-403			
DTX 231		U.S. Patent No 5,212,196			402-403			
DTX 232		U.S. PatentNo.5,556,848			402-403			
DTX 233		U.S. Patent Application 2005/0250778			402-403			
DTX 234		A. Acheampong et al., 2002, Distribution of brimonidine into anerior and posterior tissues of monkey, rabbit and rat eyes			402-403			
DTX 235		BASF - Kollidon: Polyvinylpyrrolidone for the pharmaceutical industry brochure, May 1996	ALC60356-ALC60501		402-403			
DTX 236		G.L. Amidon, Drug derivatization as a means of solubilization: Physiochemical and biochemical strategies	ALC60265-ALC60281		402-403			
DTX 237		N. K. Gangrade et al., 1996, Topical			402-403			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		Ophthalmic Formulations: Basic Considerations						
DTX 238		J.L. Greaves et al, 1992, Polymers and the precorneal tear film	ALC60587-ALC60607		402-403			
DTX 239		Handbook of Pharmaceutical Excipients, 1994, 2nd edition (A. Wade & P. Weller, eds), The Pharmaceutical Press	ALC60783-ALC60792		402-403			
DTX 240		G. Hopkins & R. Pearson, 1998, O'Connor Davies' Ophthalmic Drugs: Diagnostic and Therapeutic Uses, Butterworth-Heinemann			402-403			
DTX 241		The Merck Index (S. Budavari, ed.), 1996, Merck Research Laboratories, 12th Edition			402-403			
DTX 242		Ophthalmic Drug Facts, 1998, (j.D. Bartlett et al., eds.) Facts and Comparisons			402-403			
DTX 243		E. M. Slovin and J. R. Robinson, 1993, Bioadhesives i Ocular Drug Delivery			402-403			
DTX 244		H. Suzuki & H. Sunada, 1998, Influence of Water-Soluble Polymers on the Dissolution of Nifedipine Solid	ALC60762-ALC60767		402-403			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		Dispersions with Combined Carriers						
DTX 245		T. Loftsson, et al, 1994, The Effect of Water-Soluble Polymers on Drug-Cyclodextrin Complexation	ALC60608-ALC60618		402-403			
DTX 246		T. Loftsson, et al, 1996, Note, The Effect of Water-Soluble Polymers on Aqueous Solubility of Drugs	ALC60619-ALC60622		402-403			
DTX 247		U.S. Patent No 5,834,022			402-403			
DTX 248		U.S. Patent No 5,851,275			402-403			
DTX 249		Excerpts from Laboratory Notebook No. 11308	ALC58369A - ALC58374A		Object to use by Alcon only, 402-403, 802			
DTX 250		Brimonidine Tartrate Opthalmic Solution 0.15% Briefing Packet, dated 01/29/2003	ALC59490 - ALC59559		Object to use by Alcon only, 402-403, 802			
DTX 251		Laboratory Notebook No. R-1997-4303	AGN0062446-AGN0062462		Incomplete Document			
DTX 252		Laboratory Notebook No. R-1998-4742	AGN0062492-AGN0062585		Incomplete Document			
DTX 253		Alcon's Responses to Allergan's First Set of Interrogatories (Nos. 1-7)			Object to use by Alcon only, 402-403, 802			
DTX 254		Alcon's Supplemental Response to			Object to use by			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		Allergan's Interrogatory No. 1			Alcon only, 402-403, 802			
DTX 255		Alcon's Responses to Allergan's First Set of Requests for Admissions (Nos. 1-12)			Object to use by Alcon only, 402-403, 802			
DTX 256		Alcon's Responses to Allergan's Second Set of Interrogatories (No. 8)			Object to use by Alcon only, 402-403, 802			
DTX 257		HPLC Calculation Tables - Brimonidine	ALC58433 - ALC58582		Object to use by Alcon only, 402-403, 802			
DTX 258		HPLC Calculation Tables - Brimonidine	ALC58584 - ALC58644		Object to use by Alcon only, 402-403, 802			
DTX 259		HPLC Results	ALC58645 - ALC58744		Object to use by Alcon only, 402-403, 802			
DTX 260		Brimonidine Tartrate Special Studies	ALC58847 - ALC58848		Object to use by Alcon only, 402-403, 802			
DTX 261		3% Brimonidine Tartrate PQ Solubility Study	ALC58849		Object to use by Alcon only, 402-403, 802			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
DTX 262		Brimonidine Tartrate Sample Composition for Solubility Studies	ALC59393 - ALC59417		Object to use by Alcon only, 402-403, 802			
DTX 263		Presentation: Brimonidine Tartrate Opthalmic Solution 0.15%, dated 05/05/2004	ALC60892 - ALC60906		Object to use by Alcon only, 402-403, 802			
DTX 264		Solubility Profiles in PVA Vehicles	ALC61175-ALC61177	Chandrasekhanran 2	402-403, 802, 702-703			
DTX 265		Regression Analysis	ALC61178-ALC61213	Amidon 3	402-403, 802, 702-703			
DTX 266		Excerpts from Laboratory Notebook	ALC61214-ALC61244	Chandrasekhanran 1	402-403, 802, 702-703			
DTX 267		Excerpts from Laboratory Notebook	ALC61287-ALC61300	Chandrasekhanran 3	402-403, 802, 702-703			
DTX 268		First Report of Alan L. Robin, M.D., dated 10/06/2005 and references with handwritten notes		Robin 3a	Object to use by Alcon only, 402-403, 802, 702-703			
DTX 269		Excerpts from books, journals and abstracts with handwritten notes		Robin 3b	Object to use by Alcon only, 402-403, 802,			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
					702-703			
DTX 270		_ Excerpt from Chandrasekharan Laboratory Notebook		Amidon 5	402-403, 802, 702-703			
DTX 271		Brimonidine Tartrate HPLC	ALC61246	Amidon 6	402-403, 802, 702-703			
DTX 272		Base Solubility in various PVA vehicles	ALC61247-ALC61263	Amidon 7	402-403, 802, 702-703			
DTX 273		Summary results from analysis of Wilson data	ALC61264-ALC61286	Amidon 8	402-403, 802, 702-703			
DTX 274		Hand drawn solubility curve		Stella 6	402-403, 901			
DTX 275		Alphagan P Deformulation Results	ALC49374		Object to use by Alcon only, 402-403, 802			
DTX 276		File History for U.S. Patent Application No. US 2003/0153530			402-403			
DTX 277		File History for Docket No. 17361CIP Graham et al., "Compositions Containing Alpha-2-Adrenergic Agonist Components" Serial No. 10/850,758	AGN0223158-AGN0223250		402-403			
DTX 278		File History for Docket No. 17361CIP2 Graham et al., "Compositions Containing Alpha-2-Adrenergic Agonist Components" Serial No. 10/851,266	AGN0223251-AGN0223346		402-403			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
DTX 279		File History for Docket No. 17361CIP2CIP(AP) Graham et al., "Compositions Containing Alpha-2-Adrenergic Agonist Components" Serial No. 10/928,909	AGN0223347-AGN0223438		402-403			
DTX 280		File History for Docket No. 17361CON2(AP) Graham et al., "Compositions Containing Alpha-2-Adrenergic Agonist Components" Serial No. 10/691,921	AGN0223440-AGN0223534		402-403			
DTX 281		File History for 17361CON2CIP2(AP) Graham et al., "Compositions Containing Alpha-2-Adrenergic Agonist Components" Serial No. 10/928,906	AGN0223535-AGN0223630		402-403			
DTX 282		Draft Package Insert for Brimonidine Tartrate Ophthalmic Solution 0.15% for NDA 21-764	ALC00093-ALC00099		If part of NDA, no objection			
DTX 283		2.3.P. Drug Product Description from NDA 21-764	ALC00169	Wilson 2	If part of NDA, no objection			
DTX 284		2.3.P.2. Product Development from NDA 21-764	ALC00171-ALC00176		If part of NDA, no objection			
DTX 285		2.3.S.5. Reference Standards or Materials from Alcon's NDA 21-764	ALC00163		If part of NDA, no objection			

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DTX 286		2.3.P.5. Control of Drug Product from Alcon's NDA 21-764	ALC00189-ALC00195		If part of NDA, no objection			
DTX 287		3.2.P.5.4 Batch Analyses from Alcon's NDA 21-764	ALC02635-ALC02638		If part of NDA, no objection			
DTX 288		Excerpts from Notebook 9639 for Brimonidine Tartrate Project No. 22-5568	ALC19267		Object to use by Alcon only, 402-403, 802			
DTX 289		Brimonidine PQ Ohthalmic Solution 0.15% Formulation Identification No. 104110	ALC19558		Object to use by Alcon only, 402-403, 802			
DTX 290	07/03/02	Formulation Report for Brimonidine PQ	ALC19587		Object to use by Alcon only, 402-403, 802			
DTX 291	07/03/02	Formulation Report for Brimonidine PQ	ALC19608		Object to use by Alcon only, 402-403, 802			
DTX 292		Brimonidine PQ Ophthalmic Solution Vehicle Formulation Identification No. 104162	ALC19609		Object to use by Alcon only, 402-403, 802			
DTX 293		Excerpts from Notebook 8797 for Brimonidine Project No. 22-6242			Object to use by Alcon only, 402-403, 802			
DTX 294		Excerpts from Notebook 8797 for	ALC19774;		Object to use by			

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		Brimonidine Tartrate PQ Project No. 22-6242	ALC19776; ALC19778; ALC19780;		Alcon only, 402-403, 802			
DTX 295		Excerpts from Notebook 9639 for Brimonidine PQ Project No. 22-5568	ALC24003-ALC24004; ALC24014-ALC24019; ALC24032-ALC24033; ALC24058; ALC24089-ALC24090; ALC24163-ALC24164; ALC24185; ALC24190; ALC24197-ALC24198		Object to use by Alcon only, 402-403, 802			
DTX 296		Alphagan P Deformulation Results	ALC49496		Object to use by Alcon only, 402-403, 802			
DTX 297	08/15/02	Email from M. Bonakdar to T. Landry Re	ALC49025-		Object to use by			

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		:Brimonidine PQ	ALC49026		Alcon only, 402-403, 802			
DTX 298		0.15% Brimonidine Tartrate Components List	ALC50110		Object to use by Alcon only, 402-403, 802			
DTX 299		Team Captain's Report for Brimonidine PQ Project No. 22-5568	ALC52445-ALC52446		Object to use by Alcon only, 402-403, 802			
DTX 300		Center for Drug Evaluation and Research Application No. 21-262	ALC53481-ALC53571		Object to use by Alcon only, 402-403, 802			
DTX 301		Formulation Development Technology Transfer for Alphagan P Ophthalmic Solution Project no. 22-5568	ALC53572-ALC53578		Object to use by Alcon only, 402-403, 802			
DTX 302		Formulation Development Documents	ALC53599-ALC53608		Object to use by Alcon only, 402-403, 802			
DTX 303		Brimonidine PQ Ophthalmic Solution 0.15% Formulation Identification No. 104110	ALC53611		Object to use by Alcon only, 402-403, 802			
DTX 304		Brimonidine PQ Ophthalmic Solution 0.2% Formulation Identification No. 104250	ALC53612		Object to use by Alcon only, 402-403, 802			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
DTX 305		Brimonidine PQ Ophthalmic Solution Vehicle Formulation Identification No. 104162	ALC53613		Object to use by Alcon only, 402-403, 802			
DTX 306		Shelf Life Specifications for Brimonidine PQ Ophthalmic Solution 0.15% Formulation Identification No. 104110	ALC53614		Object to use by Alcon only, 402-403, 802			
DTX 307		Shelf-life Specifications for Brimonidine PQ Ophthalmic Solution 0.2% Formulation Identification No. 104250	ALC53615		Object to use by Alcon only, 402-403, 802			
DTX 308		Shelf-life Specifications for the Brimonidine PQ Vehicle Formulation Identification No. 104162	ALC53616		Object to use by Alcon only, 402-403, 802			
DTX 309		Draft Technical eport for Brimonidine Tartrate Prject No. 22-5568	ALC53684-ALC53747		Object to use by Alcon only, 402-403, 802			
DTX 310		Brimonidine PQ Ophthalmic Solution 0.15% documents	ALC53772-53778		Object to use by Alcon only, 402-403, 802			
DTX 311		Brimonidine PQ Viscosities	ALC58841-ALC58842		Object to use by Alcon only, 402-403, 802			
DTX 312		Center for Drug Evaluation and Research for Application No. 21-262	ALC59014-ALC59127		Object to use by Alcon only,			

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					402-403, 802			
DTX 313		Excerpt from Notebook 9640 for Project No. 225568, p. 56	ALC59329		Object to use by Alcon only, 402-403, 802			
DTX 314	06/22/00	Allergan Development Pharmaceutics Report for Brimonidine-Putrite Ophthalmic Solution	AGN0059791-AGN0059898		402-403, 802			
DTX 315		Slides Re: Brimonidine X Review	AGN0061035-AGN0061038		402-403, 802			
DTX 316		Allergan Powerpoint Re: Brimonidine Purite	AGN0061039-AGN0061042		402-403, 802			
DTX 317		Allergan Powerpoint Presentation by E. Kerslake and A. Padilla Re: Brimonidine Purite: PRP April 1998	AGN0061052-AGN0061068		402-403, 802			
DTX 318	06/14/01	Compounding Procedure for Brimo-X (9174X); 0.15% from Lab Notebook R-1997-4240	AGN0061327		402-403, 802			
DTX 319		Allergan Alphagan P Drug Product Quality Information Summary	AGN0061332-AGN0061350		402-403, 802			
DTX 320	12/06/99	Allergan Interoffice Memorandum Re: Minutes of Meeting to Review Specifications for Brimonidine-Purite 9174X and 9115X	AGN0061387-AGN0061389		402-403, 802			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
DTX 321	12/10/98	Allergan Global R&D Prject Managemet WIDP Re: Brimonidine-Purite Ophthalmic Solution	AGN0061522-AGN0061560		402-403, 802			
DTX 322		Purite Containing Formulations	AGN0061630		402-403, 802			
DTX 323	02/25/00	Allergan Technical Report PA-1999-200 for Freeze/Thaw and Low/High Temperature Cycling Studies Report for Brimondine-Purite Ophthalmic Solution 0.15% Formula 9174X	AGN0061661-AGN0061670		402-403, 802			
DTX 324		Formulations: Refresh Tears vs. Brimo-X	AGN0061842		402-403, 802			
DTX 325	03/24/00	Allergan Clinical Trial Outline Study No. 190342-XXX	AGN0061847-AGN0061851		402-403, 802			
DTX 326		Allergan Technical Report PD-1999-08 for Technology Transfer Report for Commercial Manufacture of Brimonidine-Purite 0.15% and 0.2% Solutions (Formulations 9174X and 9115X)	AGN0062142-AGN0062175		402-403, 802			
DTX 327		Formulations: Brimonidine-Purite and Alphagan	AGN0062251		402-403, 802			
DTX 328	04/07/99	Project Status Brimonidine X (Project No. 1294)	AGN0062405-AGN0062406		402-403, 802			
DTX 329	08/11/99	Allergan Technical Report PD-1999-08	AGN0062667-		402-403, 802			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		for Technology Transfer Report for Commercial Manufacture of Brimonidine-Purite 0.15% and 0.2% Solutions (Formulations 9174X and 9115X)	AGN0062695					
DTX 330		Allergan Technical Report PF-2000-001 for The Stability of Phase III Lots of Brimonidine-Purite	AGN0062699-AGN0062707		402-403, 802			
DTX 331		Brimonidine X – Tech Transfer Team	AGN0063151		402-403, 802			
DTX 332	06/04/97	Email from A. Aswad to Brimonidine Team Re: Brimonidine X	AGN0063276-AGN0063277		402-403, 802			
DTX 333	09/18/02	Allergan Brimonidine-Purite Clinical Overview Draft 2 by P. Ghosh	AGN0063827-AGN0063878		402-403, 802			
DTX 334		Reference: (Abstract) Acheampong et al., "Formulation effects on ocular absorption of brimonidine in rabbit eyes", J. Ocul. Pharmacol. Ther. 18(4):325-337 (2002)	AGN0063936		402-403			
DTX 335	01/24/00	Allergan Report Re: Effect of Formulation Ingredients on Ocular and Systemic Asorption of AGN190342 in Rabbits	AGN0064153-AGN0064197		402-403, 802			
DTX 336		Manuscript Titled "12-Month Evaluation of Brimonidine-Purite Compare with	AGN0064201-AGN0064224		Part of File History			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		Brimonidine in Patients with Glaucoma or Ocular Hypertension" by L. Jay Katz						
DTX 337		Alphagan Perspectives Powerpoint Presentation	AGN0064384-AGN0064387		402-403, 802, 901			
DTX 338		Reference: Noecker, "Purite May be gentler preservative for lubrication solutions", Ophthalmol Times 2001 Nov 1; 26(21): 72-75	AGN0067448-AGN0067451		402-403			
DTX 339		Reference: Noecker, "Ophthalmic Preservatives: Considerations for Long-Term Use in Patients with Dry Eye or Glaucoma", Rev Ophthalmol 2001 Jun; 8(6): 74-80	AGN0067452-AGN0067458		402-403			
DTX 340	09/18/02	Allergan Brimonidine-Purite Clinical Overview Draft 2 by P. Ghosh	AGN0067548-AGN0067599		402-403, 802			
DTX 341	09/19/02	Allergan Final Report Amendment No. 1 from Safety Evaluations Department Re: Comparison of Four Ophthalmic Brimonidine Tartrate Reformulations to Alphagan in Albino Rabbits	AGN0070365-AGN0070371		402-403, 802			
DTX 342	09/24/02	Allergan Amended Final Report Re: Relative Ocular Bioavailability of 0.2% Brimonidine Purite and 0.2% Alphagan	AGN0070398-AGN0070429		402-403, 802			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		PF to that of 0.2% Alphagan in Albino Rabbits						
DTX 343	03/19/03	Allergan R&D Technical Report PA-2002-481 for 18-MonthStability Report for 0.15% Brimonidine-Purite Ophthalmic Solution (9174X) in Ethylene Oxide (EtO) Sterilized Container-Closure Components	AGN0070430-AGN0070629		402-403, 802			
DTX 344		Powerpoint Presentation Re: 0.15% Concentration	AGN0070712-AGN0070715		402-403, 802, 901			
DTX 345		Reference: Williams et al., A 3-Month Compariosn of Brimonidine-Purite 0.15% BID with Brimonidine 0.2% BID in Patients Successfully Treated with Brimonidine 0.2% BID	AGN0192779-AGN0192780		402-403			
DTX 346		Powerpoint Re: Ocular Bioavailability of Brimonidine in Different Formulations	AGN0192783		402-403, 802, 901			
DTX 347		Allergan Alphagan P 0.15% Corporate Data Sheet	AGN0192847-AGN0192886		402-403, 802			
DTX 348	10/03/00	Allergan Study Protocol 190342-017-01	AGN0194697-AGN0194755		402-403, 802			
DTX 349	12/22/97	Letter from J. Injejkian to W. Chambers Re: Brimonidine Tartrate Ophthalmic	AGN0198396-AGN0198397		402-403, 802			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		Solution Amedment to Add a New Formulation: Brimonidine-Purite Ophthalmic Solution						
DTX 350		Letter from W. Rumble to D. Garbe Re: NDA 21-262 Alphagan P 0.15%	AGN0198435-AGN0198436		402-403, 802			
DTX 351	06/18/98	Brimonidine-Purite Ophthalmic Solution IND 32,292/Serial No. 058 End of Phase 2 Meeting Briefing Package	AGN0198510-AGN0198672		402-403, 802			
DTX 352	01/24/00	Composition of Brimonidine-Purite Ophthalmic Solution from Pre-NDA Meeting	AGN0198720		402-403, 802			
DTX 353	01/24/00	Definitions from Pre-NDA Meeting	AGN0198730		402-403, 802			
DTX 354		Document Re: Formulation Factors on OCular and systemic Bioavailability of Brimonidine	AGN0199550		402-403, 802			
DTX 355	09/25/01	Allergan Memorandum from S. Whitcup, J. Cheetham and A. Batoosingh to J. Gibson and L. Kaplan Re: AGN190342-017 (Phase 3b – Alphagan BID Switch) Topline	AGN0199580-AGN0199581		402-403, 802			
DTX 356	09/07/00	Allergan Memorandum from S. Whitcup, A. Batoosingh and C. Felix to J. Gibson and L. Kaplan Re: 190342-017 (Phase 3-	AGN0199612		402-403, 802			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		12 Mon. Topline)						
DTX 357		Brimonidine-Purite Labeling Points of Discussion	AGN0199635-AGN0199639		402-403, 802			
DTX 358	03/22/00	Allergan Brimonidine Tartrate Ophthalmic Solution 0.15% Tradename	AGN0199640-AGN0199646		402-403, 802			
DTX 359	10/29/98	Email from H. Pfleger to A. Aswad Re: WIDP Brimonidine X	AGN0199753		402-403, 802			
DTX 360	10/15/98	Allergan Global R&D Project Management Brimonidine-X Team Meeting Minutes for October 14, 1998 Re: Clinical Phase 3 and Brimo-Purite	AGN0199754-AGN0199758		402-403, 802			
DTX 361	10/02/97	Email from M. O'Connor to O. Olejnik Re: Electrolytes – Brim X	AGN0199794		402-403, 802			
DTX 362		Powerpoints Re: Brimonidine-X	AGN0199801-AGN0199808		402-403, 802, 901			
DTX 363	09/14/98	Email from P. Kresel to Various Re: Brimonidine Purite PK After 0.15% Dosing	AGN0199964-AGN0199965		402-403, 802			
DTX 364	06/11/98	Allergan Memorandum from H. Pfleger to M. Ball and J. Hartmann Re: Brimonidine-X	AGN0199973-AGN0199974		402-403, 802			
DTX 365	03/04/98	Email with attachment from A. Batoosingh to Various Re: Go/No-Go	AGN0200042-AGN0200045		402-403, 802			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		Brim X						
DTX 366	06/05/98	Allergan Memorandum from D. Stagg to Brimonidine-X Team, Regulatory Affairs Re: Regulatory Issues of Generic Registration of Allergan Products	AGN0200048		402-403, 802			
DTX 367	06/11/97	Email from A. Aswad to Various Re: Summary of Team Meeting on June 10, 1997	AGN0200189-AGN0200190		402-403, 802			
DTX 368	08/08/01	Email from D. Brown to D. LeCause and J. Brown Re: Tech Conversion Program Blueprint	AGN0200200		402-403, 802			
DTX 369		Tech Conversion Program Alphagan P Brochure	AGN0200201-AGN0200203		402-403, 802			
DTX 370		Alphagan P Patient Survey	AGN0200205-AGN0200213		402-403, 802			
DTX 371		Alphagan P Launch Program Review by D. Discar	AGN0200246-AGN0200260		402-403, 802			
DTX 372		"Take Control" Slides by D. LeCause	AGN0200280-AGN0200283		402-403, 802			
DTX 373	09/11/01	SAM Team "Lessons Learned" Pre-Launch Experience Slides by R. Ungvary	AGN0200284-AGN0200286		402-403, 802			
DTX 374	09/25/01	Allergan Memorandum Re: Phase 3b – Alphagan Bid Switch	AGN0200313-AGN0200314		402-403, 802			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
DTX 375		Email from A. Batoosingh to P. Bartlett and L. Gryziewicz Re: Alphagan P Studies	AGN0200344		402-403, 802			
DTX 376	10/03/03	Alphagan P Manuscripts List	AGN0200538		402-403, 802			
DTX 377		Alphagan P. Managed Care Materals Brochure	AGN0200657-AGN0200698		402-403, 802			
DTX 378		Alphagan P Brochure	AGN0200699-AGN0200779		402-403, 802			
DTX 379		Alphagan P. Slides by J. Brown	AGN0200784-AGN0200808		402-403, 802			
DTX 380	05/24/04	Email from A. Batoosingh to S. Whitcup Re: Toplline Alphagan P. (3 Mos.)	AGN0210507		402-403, 802			
DTX 381		Figure for Mean IOP (Hour 0) Topline 190342-008	AGN0210509		402-403, 802			
DTX 382		Figure for Mean Diurnal IOP (at Month 3) Topline 190342-008	AGN0210510		402-403, 802			
DTX 383	03/23/04	Email from F. Hong to J. Gangolli Re: Updatre on Alphagan and Alphagan P Post-Marketing Experience	AGN 0210511		402-403, 802			
DTX 384	03/23/04	Alphagan and Alphagan P: A Safety Profile Comparison Powerpoint presentation by G. Daniell	AGN0210512-AGN0210520		402-403, 802			
DTX 385		Alphagan P Slides by A. Batoosingh	AGN0210611-		402-403, 802			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
			AGN0210643					
DTX 386		Alphagan/Alphagan P: An Overview of Efficacy Slides by M. Hussain	AGN0210823-AGN0210832		402-403, 802			
DTX 387	06/16/98	Allergan Memorandum Re: Preliminary 190342-006 PK Results	AGN0213235-AGN0213239		402-403, 802			
DTX 388	05/24/02	Summary of Alphagan P Upgrade Brainstorm Meeting	AGN0217148		402-403, 802			
DTX 389		Brimonidine Purite Ophthalmic Solution Chemistry, Manufacturing and Controls	AGN0219108-AGN0219113		402-403, 802			
DTX 390	11/15/99	Email with attachments from R. Graham to O. Olejnik et aal. Re: Brimo-X Specs	AGN0219126-AGN0219128		402-403, 802			
DTX 391	10/03/00	Allergan Memorandum Re: Freeze/Thaw and Low/High Temperature Cycling Studies for Brimonidine-Purite 9174X	AGN0219170-AGN0219171		402-403, 802			
DTX 392	09/24/02	Allergan Amended Final Report Re: Relative Ocular Bioavailability of 0.2% Brimonidine Purite and 0.2% Alphagan PF to that of 0.2% Alphagan in Albino Rabbits	AGN0219415-AGN0219446		402-403, 802			
DTX 393		Center for Drug Evaluation and Research for Allergan Application No. 21-262 Pharmacology Review	AGN0219641-AGN0219679		402-403, 802			
DTX 394	06/30/00	Clinical Pharmacology/Biopharmaceutics	AGN0219680-		402-403, 802			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		Review for Allergan Re: Brimonidine Tartrate Ophthalmic Solution 0.15%	AGN0219687					
DTX 395		Center for Drug Evaluation and Research for Allergan Application No. 21-262 Approved Labeling	AGN0219688-AGN0219694		402-403, 802			
DTX 396	12/01/98	AGN190342 Brimonidine-Purite Ophthalmic Solution WIDP-U.S. Only	AGN0220299-AGN0220339		402-403, 802			
DTX 397	06/26/03	Alphagan P Core Slides	AGN0220944-AGN0221004	Whitcup 11	402-403, 802	For Identification Purposes Only		
DTX 398	10/19/01	Email with attachment from A. Batoosingh to A. Acheampong and A. Dennis Re: Notes for the Pharmacokinetics Slides	AGN0222100-AGN0222125		402-403, 802			
DTX 399	12/13/01	Email with attachment from R. David to A. Dennis et al. Re: 3 B Manuscript Review	AGN0222145-AGN0222165		402-403, 802			
DTX 400	05/28/02	Email with attachment from K. McCann to A. Batoosingh and J. Brown Re: Update on Brimonidine Purite Slides	AGN0222187-AGN0222222		402-403, 802			
DTX 401		Update on Glaucoma Therapy: Newest Developments in the Use of Brimonidine 2003 Web Conference	AGN0222650-AGN0222716		402-403, 802			
DTX 402		Review of the Phase 2 Studies and Design	AGN0223111-		402-403, 802			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		of the Phase 3 Studies by A. Batoosingh	AGN0223143					
DTX 403		Allergan R&D Project Management Project Review Committee (Revised May 1997)	AGN0223644		402-403, 802			
DTX 404		Allergan Retention Policy Revised March 2002	AGN0224157-AGN0224169		402-403, 802			
DTX 405		Allergan Ophthalmology Therapeutic Update Powerpoint Presentation by S. Whitcup	AGN0224219-AGN0224245	Whitcup 8	402-403, 802	For Identification Purposes Only		
DTX 406		Alphagan P Clinical Efficacy and Safety Powerpoint Presentation by S. Whitcup	AGN0224246-AGN0224276		402-403, 802			
DTX 407		Alphagan P Powerpoint Presentation by S. Whitcup	AGN0224277-AGN0224300	Whitcup 9	402-403, 802	For Identification Purposes Only		
DTX 408		Presentation on Alphagan P Clinical Efficacy and Safety	AGN0224565-AGN0224594	Whitcup 10	402-403, 802	For Identification Purposes Only		
DTX 409		Wilson Test Data for Brimonidine Solubility Studies	AGN0224720-AGN0225205	Wilson 4; Shah 1	402-403, 802, 702-703			
DTX 410		Excerpts from lab notebook project no 225568 Brimonidine PQ 0.5%	ALC58279-ALC58287	Wilson 6	Object to use by Alcon only, 402-403, 802			
DTX 411		Plaintiffs' Response to Defendants' Third Set of Interrogatories (No. 13-24)		Wilson 7	402-403			
DTX 412		Laboratory Studies	AGN0225206-	Shah 3	402-403, 802, 702-			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
			AGN0225236		703			
DTX 413		Graph: Solubility v. pH	AGN0225237					
DTX 414		Graph: Brimonidine Solubility v. pH: Povidone v. Control	AGN0225238					
DTX 415		Wilson Literature	AGN0225239-AGN0225247		402-403, 802, 702-703			
DTX 416		Plasdone K. Povidone Product Sheet	AGN0225248					
DTX 417		Excerpts from Notebook 9638 for Brimonidine Tartrate 0.15% Project No. 22-5568	ALC58249-ALC58255; ALC58294-ALC58299		Object to use by Alcon only, 402-403, 802			
DTX 418		Excerpts from Notebook 10525 for Brimonidine Tartrate PQ Project No. 22-5568	ALC58273-ALC58274; ALC58332-ALC58337; ALC58363-ALC58365		Object to use by Alcon only, 402-403, 802			
DTX 419		Excerpts from Notebook 9640 Bromonidine PQ Project No. 22-5568	ALC58300-ALC58331		Object to use by Alcon only, 402-403, 802			
DTX 420		Excerpts from Notebook 11308 Brimonidine Tartrate Ophthalmic Solution Project No. 22-5568	ALC58366-ALC58378		Object to use by Alcon only, 402-403, 802			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
DTX 421		E-Mail from P. Ryan to H. Bhagat et al re Brimonidine PQ and Alcon Testing	ALC58379-ALC58388		Object to use by Alcon only, 402-403, 802			
DTX 422		Brimonidine Tartrate Stability Data	ALC58399-ALC58400		Object to use by Alcon only, 402-403, 802			
DTX 423		Brimonidine Tartrate Solubility Data	ALC58405-ALC58420		Object to use by Alcon only, 402-403, 802			
DTX 424		Brimonidine Tartrate Solubility Data	ALC58424-ALC58432		Object to use by Alcon only, 402-403, 802			
DTX 425		U.S. Patent No. 4,587,257	ALC59860-ALC59863		402-403			
DTX 426		U.S. Patent No. 5,221,696	ALC59931-ALC59937		402-403			
DTX 427		U.S. Patent No. 5,385,927	ALC59938-ALC59948		402-403			
DTX 428		U.S. Patent No. 5,541,210	ALC59949-ALC59964		402-403			
DTX 429		U.S. Patent No. 5,578,607	ALC59965-ALC59975		402-403			
DTX 430		U.S. Patent No. 5,605,992	ALC59976-		402-403			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
			ALC59984					
DTX 431		U.S. Patent No. 5,710,182	ALC59985-ALC59993		402-403			
DTX 432		U.S. Patent No. 5,795,913	ALC60008-ALC60018		402-403			
DTX 433		U.S. Patent No. 5,804,587	ALC60019-ALC60038		402-403			
DTX 434		U.S. Patent No. 5,866,579	ALC60047-ALC60076		402-403			
DTX 435		U.S. Patent No. 5,916,900	ALC60077-ALC60096		402-403			
DTX 436		U.S. Patent No. 6,410,045	ALC60106-ALC60111		402-403			
DTX 437		WO 96/13267	ALC60112-ALC60141		402-403			
DTX 438		PDR 54 Alphagan 0.2% Product Sheet (2000)	ALC60142-ALC60144					
DTX 439		PDR 56 Alphagan P Product Sheet (2002)	ALC60145-ALC60148					
DTX 440		U.S. Patent No. 3,920,810	ALC60149-ALC60154		402-403			
DTX 441		U.S. Patent No. 4,728,509	ALC60155-ALC60161		402-403			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
DTX 442		U.S. Patent No. 4,975,428	ALC60172-ALC60175		402-403			
DTX 443		U.S. Patent No. 4,994,273	ALC60176-ALC60192		402-403			
DTX 444		U.S. Patent No. 6,194,415	ALC60207-ALC60221		402-403			
DTX 445		U.S. Patent No. 6,242,442	ALC60222-ALC60227		402-403			
DTX 446		U.S. Patent No. 6,294,553	ALC60228-ALC60232		402-403			
DTX 447		U.S. Patent No. 6,316,441	ALC60233-ALC60237		402-403			
DTX 448		U.S. Patent No. 6,346,273	ALC60238-ALC60245		402-403			
DTX 449		EP Publication No. 0 426,390 A2	ALC60246-ALC60261		402-403			
DTX 450		Acheampong et al, 1994, Effect of ocular dose on the systemic absorption and disposition of brimonidine in humans (abstract)	ALC60262-ALC60264		402-403			
DTX 451		Block, 1991, Disinfection, Sterilization and Preservation,4th ed. Lea & Febiger	ALC60282-ALC60355		402-403			
DTX 452		Burke et al, 1991, AGN 190342 (UK-	ALC60522-		402-403			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		14,304-18) stimulates an imidazoline receptor to lower intraocular pressure (IOP) in conscious monkeys (abstract)	ALC60523					
DTX 453		Burke et al, 1995, Differential desensitization of alpha adrenoceptors modulating intraocular pressure (IOP) changes to brimonidine in the rabbit (abstract)	ALC60524-ALC60525		402-403			
DTX 454		Burke et al, 1995, Adrenergic and imidazoline receptor-mediated responses to UK-14,304-18 (brimonidine) in rabbits and monkeys	ALC60526-ALC60536		402-403			
DTX 455		Cogan and Hirsch, 1944, The Cornea: VII, Permeability and Weak Electrolytes	ALC60560-ALC60556		402-403			
DTX 456		Conrad et al, 1978, Influence of tonicity and pH on lacrimation and ocular drug bioavailability	ALC60567-ALC60580		402-403			
DTX 457		Loftsson 1998, Increasing the cyclodextrin complexation of drugs and drug bioavailability through addition of water-soluble polymers	ALC60624-ALC60631		402-403			
DTX 458		Machado et al, 1991, 5-(N-Ethyl-N-Isopropyl) Amiloride (EIPA) augments	ALC60632		402-403			

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TAB 5

ALLERGAN, INC., et al. v. ALCON, INC., et al.
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PROPOSED SCHEDULE OF ALCON'S TRIAL EXHIBITS
January 17, 2006

Alcon hereby reserves the right to use any exhibit identified by either party. Alcon also reserves the right to amend the joint exhibit list upon further review of the documents listed on Allergan's schedule of proposed trial exhibits. Per the parties' agreement, Alcon will identify its demonstrative exhibits at a later date.

Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
		the ocular hypotensive effects of α-2 adrenergic receptor agonists in rabbits (abstract)						
DTX 459		Martin et al, Physical Pharmacy 4th ed. pp. 233-234	ALC60633-ALC60636		402-403			
DTX 460		Munk et al., 1997, Synthesis and evaluation of 2-(Arylamino) inidazoles as α_2-adrenergic agonists	ALC60637-ALC60642		402-403			
DTX 461		Musson et al, 1992, An in vitro comparison of the permeability of prednisolone, prednisolone sodium phosphate, and prednisolone acetate across the NZW rabbit cornea	ALC60643-ALC60655		402-403			
DTX 462		Myrdal & Yalkowsky, 2002, Solubilization of Drugs in Aqueous Media, in Encyclopedia of Pharmaceutical Tech., Marcel Dekker, pp. 2458-2480	ALC60656-ALC60680		402-403			
DTX 463		Olejnik and Wesibacker, 1990, Ocular bioavailability of topical prednisolone preparations	ALC60681-ALC60686		402-403			
DTX 464		Sasaki et al, 1991, Enhancement of ocular drug penetration	ALC60711-ALC60745		402-403			

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Defendant Exh. No.	Date of Document	Title or Description	Bates Numbers	Deposition Exhibit No.	Allergan Objection[1]	Alcon Objection	Identified	Admitted
DTX 465		Serle et al, 1991, Effect of α_2-adrenergic agonists in uveoscleral outflow in rabbits (abstract)	ALC60746-ALC60747		402-403			
DTX 466		Serle et al, 1991 Selective α_2-adrenergic agonists B-HT 920 and UK14304-18: Effects on aqueous humor dynamics in monkeys	ALC60748-ALC60754		402-403			
DTX 467		Walters et al, 1991, A pilot study of the efficacy and safety of AGN 190342-LF 0.02% and 0.08% in patients with elevated intraocular pressure	ALC60793-ALC60794		402-403			
DTX 468		Wilson et al, 1981, Altered ocular absorption and disposition of sodium cromoglycate upon ion-pair and complex coacervate formation with dodecylbenzyldimethylammonium chloride	ALC60806-ALC60810		402-403			
DTX 469		Wilson et al, 1983, Precorneal drainage of polyvinyl alcohol solutions in the rabbit assessed by gamma scintigraphy	ALC60812-ALC60815		402-403			
DTX 470	07/01/05	Letter from A. Sommer to A. Robin Re: Granting Joint Appointment to The Dept. of Intl. Health	ALC61316		402-403			

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