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.	C.A. No. 04-968-GMS **PUBLIC VERSION**

DECLARATION OF WILLIAM J. MARSDEN, JR. IN SUPPORT OF PLAINTIFFS ALLERGAN, INC. AND ALLERGAN SALES, LLC'S OPPOSITIONS TO ALCON'S MOTION *IN LIMINE* 1-5

I, William J. Marsden, Jr., declare as follows:

1. I am a member of the law firm of Fish & Richardson P.C. and am counsel for Plaintiffs Allergan, Inc. and Allergan Sales, LLC, in the above-captioned matter.

2. Attached hereto as Exhibit 1 is a true and correct copy of the unpublished case Eli Lilly and Co. v. Teva Pharms. USA, Inc., No. IP 02-0512-C-B/S, 2004 WL 1724632 (S.D. Ind. July 29, 2004).

3. Attached hereto as Exhibit 2 - **REDACTED**.

4. Attached hereto as Exhibit 3 - **REDACTED**.

5. Attached hereto as Exhibit 4 - **REDACTED**.

6. Attached hereto as Exhibit 5 – **REDACTED.**

7. Attached hereto as Exhibit 6 – **REDACTED**.

8. Attached hereto as Exhibit 7 – **REDACTED**.

9. Attached hereto as Exhibit 8 – **REDACTED.**

I declare under penalty of perjury that the foregoing is true and correct.

Dated: January 23, 2006 – Public Version

/s/ William J. Marsden, Jr
William J. Marsden, Jr.

CERTIFICATE OF SERVICE

I hereby certify that on January 24, 2006, I electronically filed with the Clerk of Court Declaration of William J. Marsden, Jr. in support of Plaintiffs Allergan, Inc. and Allergan Sales, LLC's Oppositions to Alcon's Motion in Limine 1-5 using CM/ECF which will send electronic notification of such filing(s) to the following Delaware counsel.

Josy W. Ingersoll
John W. Shaw
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 January 24, 2006, I have sent via electronic mail, the document(s) to the following non-registered participants:

Veronica Mullally
Daniel J. Thomasch
Orrick, Herrington & Sutcliffe LLP
666 Fifth Avenue
New York, NY 10103-0001

/s/ William J. Marsden, Jr.
William J. Marsden, Jr. (#2247)

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