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

DECLARATION OF WILLIAM J. MARSDEN, JR. IN SUPPORT OF PLAINTIFFS' MOTION TO STRIKE PORTIONS OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

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

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

2. Attached hereto as Exhibit A is a true and correct copy of the transcript from the parties' November 22, 2004 scheduling conference before the Court.

3. Attached hereto as Exhibit B is a true and correct copy of a letter from M. Veronica Mullally, Esq. to Michael Kane, Esq. dated December 1, 2004.

4. Attached hereto as Exhibit C is a true and correct copy of the transcript from the parties' December 15, 2004 hearing before the Court.

5. Attached hereto as Exhibit D is a true and correct copy of a letter from Patrick M. Ryan to Allergan, Inc. and Allergan Sales, Inc. dated July 6, 2004.

6. Attached hereto as Exhibit E is a true and correct copy of Alcon's Responses to Allergan's First Set of Interrogatories (Nos. 1-7) dated December 27, 2004.

7. Attached hereto as Exhibit F is a true and correct copy of Alcon's Claim Chart dated April 5, 2005.

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

Dated: May 16, 2005

FISH & RICHARDSON P.C.

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

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CERTIFICATE OF SERVICE

I hereby certify that on May 16, 2005, I electronically filed with the Clerk of Court the DECLARATION OF WILLIAM J. MARSDEN, JR. using CM/ECF which will send notification of such filing(s) to the following:

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The Brandywine Building, 17th Floor
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I hereby certify that on May 16, 2005, I have sent by Federal Express, the above document to the following non-registered participants:

Brian D. Coggio, Esq.
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/s/ William J. Marsden, Jr. (#2247)
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