

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MERCK & CO., INC. :
 :
 Plaintiff, :
 :
 v. : Civil Action No. 01-048-JJF
 :
 TEVA PHARMACEUTICALS, INC. :
 :
 Defendant. :

SECOND ORDER AMENDING OPINION

WHEREAS, on August 28, 2003, the Court entered an Opinion in the above-captioned case (D.I. 162);

WHEREAS, on January 7, 2004, the Court entered an Order amending the August 28, 2003 opinion (D.I. 173);

NOW THEREFORE, IT IS HEREBY ORDERED that the Opinion is further amended to read as follows:

1. On page 37, footnotes 1 and 2, should be replaced with "3 and 4."
2. On page 44, footnote 3, should be replaced with "5."
3. On page 45, footnote 4, should be replaced with "6."
4. On page 52, footnote 5, should be replaced with "7."
5. On page 58, footnote 6, should be replaced with "8."
6. On page 60, footnote 7, should be replaced with "9."
7. On page 62, footnote 8, should be replaced with "10."

July 14, 2004
DATE

JOSEPH J. FARNAN, JR.
UNITED STATES DISTRICT JUDGE