

UNITED STATES OF AMERICA  
BEFORE THE FOOD AND DRUG ADMINISTRATION  
DEPARTMENT OF HEALTH AND HUMAN SERVICES

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In the Matter of:

**Enrofloxacin for Poultry:  
Withdrawal of Approval of  
New Animal Drug Application  
NADA 140-828**

**FDA DOCKET: 00N-1571**

**Date: December 19, 2002**

**RESPONDENT BAYER'S UNOPPOSED MOTION TO  
SUBSTITUTE ORIGINAL SIGNATURE PAGES FOR THE  
FACSIMILE VERSIONS FOR CERTAIN BAYER WITNESSES**

Respondent Bayer Corporation ("Bayer") respectfully moves to substitute the attached original signature pages of Bayer witnesses Terry N. TerHune, DVM, Ph.D. (B-1915); Diane G. Newell, Ph.D. (B-1908); Paul Iannini, M.D. (B-1905); and Peter Silley, Ph.D. (B-1913) in place of the facsimile signature pages filed with their written direct testimony on December 13, 2002. Despite best efforts, the original signature pages were not available to include in Bayer's Motion to Enter Written Direct Testimony and Specified Exhibits and Documents. Counsel for CVM has consented to the relief sought by this motion.

Respectfully submitted, this 19th day of December by:



Robert B. Nicholas  
James H. Sneed  
Gregory A. Krauss  
M. Miller Baker  
McDERMOTT, WILL & EMERY  
600 Thirteenth Street, N.W.  
Washington, D.C. 20005  
(202) 756-8000

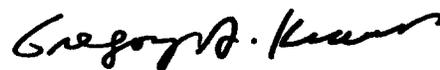
*Attorneys for Bayer*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of Respondent Bayer's Unopposed Motion To Substitute Original Signed Signature Pages for the Facsimile Versions for Certain Bayer Witnesses was e-mailed and also mailed, postage pre-paid, this 19th day of December, 2002 to:

Kent D. McClure  
Animal Health Institute  
1325 G Street, N.W., Suite 700  
Washington, D.C. 20005

Nadine R. Steinberg, Esquire  
Food and Drug Administration  
Office of General Counsel (CGF-1)  
5600 Fischers Lane, Room 7-77  
Rockville, MD 20857

  
\_\_\_\_\_  
Gregory A. Krauss

**UNITED STATES OF AMERICA  
BEFORE THE FOOD AND DRUG ADMINISTRATION  
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

In the Matter of:

**Enrofloxacin for Poultry:  
Withdrawal of Approval of  
New Animal Drug Application  
NADA 140-828**

**FDA DOCKET: 00N-1571**

**ORDER**

On December 19, 2002, Respondent Bayer Corporation filed an Unopposed Motion to Substitute Original Signature Pages for the Facsimile Versions for Certain Bayer Witnesses. The motion seeks to replace original signature pages for the facsimile versions that were filed December 13, 2002 with the testimony of Terry N. TerHune, DVM, Ph.D. (B-1915); Diane G. Newell, Ph.D. (B-1908); Paul Iannini, M.D. (B-1905); and Peter Silley, Ph.D. (B-1913). Bayer's Motion is HEREBY GRANTED and the Dockets Management Branch is directed to substitute the original pages for the facsimile pages in the record.

DATED this the \_\_\_ day of December, 2002.

\_\_\_\_\_  
Daniel J. Davidson  
Administrative Law Judge

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

13 Dec 02, 2002.

  
\_\_\_\_\_  
Terry TerHune, DVM, Ph.D.

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

Dec 13, 2002.



Diane G. Newell, Ph.D.

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

December 12, 2002.

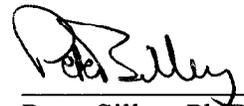


Paul B. Iannini, M.D., F.A.C.P.

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

December 13, 2002.



\_\_\_\_\_  
Peter Silley, Ph.D.

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**MCDERMOTT, WILL & EMERY**

*A Partnership Including  
Professional Corporations*  
600 Thirteenth Street, N.W.  
Washington, D.C. 20005-3096  
202-756-8000  
Facsimile 202-756-8087  
www.mwe.com

**Gregory A. Krauss**  
Attorney at Law  
gkrauss@mwe.com  
202-756-8263

Boston  
Chicago  
London  
Los Angeles  
Miami  
Moscow  
New York  
Orange County  
Silicon Valley  
Vilnius  
Washington, D.C.

December 19, 2002

**VIA HAND DELIVERY**

Dockets Management Branch (HFA-305)  
Food and Drug Administration  
5630 Fishers Lane (Room 1061)  
Rockville, Maryland 20852

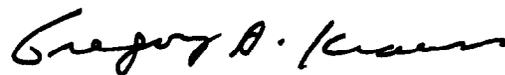
Re: In the Matter of Notice of Hearing: Proposal to Withdraw  
Approval of New Animal Drug Application for Enrofloxacin  
for Poultry ("Enrofloxacin Hearing")  
FDA Docket: 00N-1571

Dear Sir/Madam:

Enclosed for filing please find an original and two copies of Respondent Bayer Corporation's Unopposed Motion to Substitute Original Signature Pages for the Facsimile Versions for Certain Bayer Witnesses. Please return a file-stamped copy in the enclosed self-addressed stamped envelope.

Please call with any questions.

Sincerely,



Gregory A. Krauss

GAK:jeh  
Enclosures