

876, G-937 and G-962 are unopposed and CVM's motion to correct these is granted.

With respect to Exhibit Nos. G-559 and G-812 it appears that CVM and Respondent Bayer disagree on the question of whether these documents contain information required to be protected. Bayer and CVM are therefore required to confer and jointly submit a draft order, on or before June 11, 2002, defining to what extent, if any, these documents are to be redacted. In the absence of agreement, specific issues are to be submitted for determination in the alternative.

As for Exhibit No. G-140, the privilege claimed has been effectively waived by the placing of this information in the public file. CVM's motion with respect to this Exhibit is therefore denied.

It is **ORDERED** that the following documents listed in the Center's Motion be corrected and replaced as described in CVM's Motion: Exhibit Nos. G-62, G-208, G-415, G-444, G-682, G-691, G-832, G-837, G-872, G-876, G-937, and G-962.

It is **FURTHER ORDERED** that all Persons having copies of the original Exhibit Nos. G-341, G-682, G-837, G-872, G-916 and G-937 return the original and any copies of these documents to CVM's counsel by June 7, 2002.

And it is FURTHER ORDERED that the unredacted version of these documents will be subject to a protective order under the following terms:

1. Unredacted versions of Exhibit Nos. G-341, G-682, G-837, G-872, G-916, and G-937 shall be placed in the confidential docket.
2. Parties and participants shall treat unredacted Exhibit Nos. G-682, G-837, G-872, and G-937 as confidential and shall not further disclose them to any other person.

Dated this 4th day of June, 2002.

/s/ Daniel J. Davidson
Administrative Law Judge
Food and Drug Administration