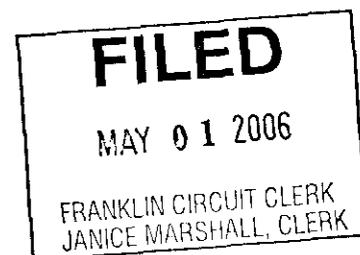


COMMONWEALTH OF KENTUCKY
FRANKLIN CIRCUIT COURT - DIV. II
CIVIL ACTION NO. 03-CI-1135



COMMONWEALTH OF KENTUCKY
ex rel. GREGORY D. STUMBO, ATTORNEY GENERAL

PLAINTIFF

v.

WARRICK PHARMACEUTICAL CORP., *et al.*

DEFENDANTS

**NOTICE OF FILING
OF TARGET DRUG LIST**

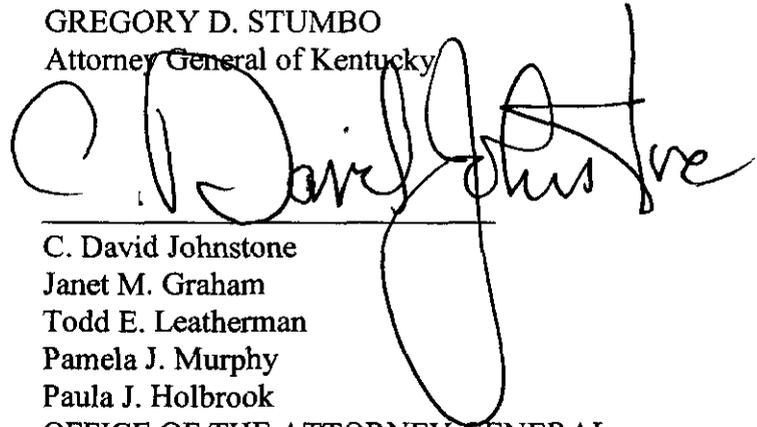
The Plaintiff, the Commonwealth of Kentucky ("the Commonwealth"), by its Attorney General, Gregory D. Stumbo, hereby files the Target Drug List attached hereto as Exhibit A, which details the specific drugs manufactured and marketed by each defendant for which the Commonwealth seeks to recover damages. The drugs on this list were selected because the Commonwealth has spent a substantial amount of money purchasing them for its most vulnerable citizens- in excess of \$100,000 for each drug - and because the Commonwealth has evidence that the published AWP's of each of these drugs was inaccurate and inflated. The Commonwealth files this Target Drug List to address arguments advanced by defendants in their motion to dismiss that the Commonwealth failed to identify what drugs are at issue in this case and to streamline discovery in this matter.

Lest there be no confusion, the Commonwealth is submitting this Target Drug List to place the defendants on notice of the specific drugs that are currently at issue in this litigation and to limit, for now, the amount of sales data that they will be required to provide in discovery responses. The Amended Complaint alleges, and the Commonwealth intends to prove at trial, that the defendants have been continuously engaged in a scheme to mask the true acquisition cost of all their drugs, and will continue to seek discovery of materials evidencing this scheme even if such evidence relates to drugs

not on this list. The Commonwealth therefore reserves the right to add or delete drugs to the attached Target Drug List as discovery progresses.

Respectfully submitted,

GREGORY D. STUMBO
Attorney General of Kentucky

A large, handwritten signature in black ink, appearing to read "C. David Johnstone", is written over a horizontal line. The signature is stylized and cursive.

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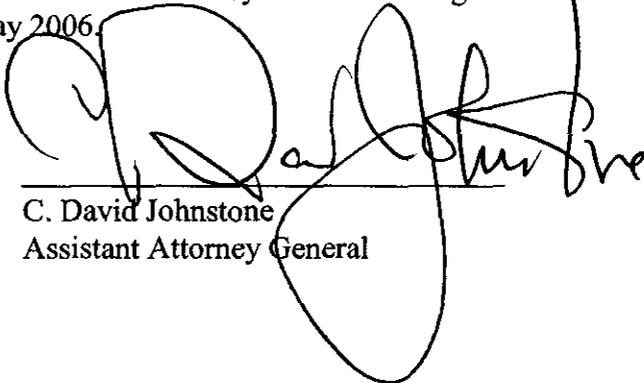
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notice of Filing of Target Drug List was served on the individuals whose names appear on the attached Service List by hand-delivering conformed copies of same in open court on this the 1st day of May 2006.



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EXHIBIT A

TARGET DRUG LIST

WARRICK PHARMACEUTICALS

ALBUTEROL
CIMETIDINE
CLOTRIMAZOLE
GLYBURIDE
GRISEOFULVIN
ISOSORBIDE MONONITRATE
LABETALOL
OXAPROZIN
PERPHENAZINE
POTASSIUM CHLORIDE
SUCRALFATE
THEOPHYLLINE

TARGET DRUG LIST

SCHERING CORPORATION

CEDAX
CELESTONE
CHLOR-TRIMETON
CLARINEX
CLARITIN
CLARITIN-D
DIPROLENE
ELOCON
EULEXIN
FORADIL
GYNE-LOTRIMIN
IMDUR
INTRON
K-DUR
LOTRIMIN
LOTRISONE
NASONEX
NITRO-DUR
NORMODYNE
PEG-INTRON
PROVENTIL
REBETOL
REBETRON
TEMODAR
THEO-DUR
TRILAFON
VANCENASE
VANCERIL

TARGET DRUG LIST

DEY L.P.

ACCUNEB
ALBUTEROL
CROMOLYN SODIUM
DUONEB
EPIPEN
IPRATROPIUM BROMIDE
ISOETHARINE
METAPROTERENOL
SODIUM CHLORIDE