

STATE OF WISCONSIN,

)

Plaintiff,

)

Case No.: 04 CV 1709

v.

)

ABBOTT LABORATORIES, *et. al.*,

)

Defendants.

)

)

**DEFENDANTS' FIRST JOINT SET OF  
REQUESTS FOR ADMISSION TO PLAINTIFF**

Pursuant to Wis. Stat. § 804.11, Defendants request that Plaintiff, the State of Wisconsin, make the following admissions within thirty (30) days of service.

**DEFINITIONS**

1. The term "And" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the request any information that might otherwise be construed to be outside its scope.

2. "HCFA" means the Health Care Financing Administration and all its agents, employees, commissioners, and anyone else acting on its behalf.

3. "OIG" means the United States Department of Health and Human Services, Office of Inspector General, including its agents, employees, commissioners and anyone else acting on its behalf.

4. "Wisconsin," "you" or "your" means the State of Wisconsin, including but not limited to the office of the Department of Health and Family Services, the Department of Administration, the Governor's Office, the Legislative Fiscal Bureau, the Joint Committee on Finance, the Legislative Audit Bureau, the Legislative Reference Bureau, and any other Wisconsin agencies and programs.

## INSTRUCTIONS

1. Your responses, under oath, to each request for admission shall include such information as is within Your custody, possession, or control, or that of Your attorneys, investigators, employees, agents, consultants, or anyone acting on Your behalf.
2. Any denial of a request for admission shall fairly meet the substance of the request for admission.
3. If You deny any of the requests for admission set forth below, or any part thereof, set forth specifically the matters that are being denied and all grounds and reasons for the denial of each such request for admission, and produce all documents that support Your denial or denials.
4. If You cannot truthfully admit or deny any of the requests for admission, or any part thereof, set forth in detail all grounds and reasons for your inability to truthfully admit or deny each such request for admission. If You claim that You require additional information in order to admit or deny any of the requests, You are requested to explain what You have done to obtain the information You claim You need to admit or deny the request.
5. If written objections to a request for admission, or any part thereof, are made by You, the remainder of the request for admission shall be answered.
6. If good faith requires that You deny only a part, or requires a qualification, of a matter that is the subject of a request for admission, You shall admit so much of the requests for admission as is true and deny only the remainder.

## REQUESTS FOR ADMISSION

### **REQUEST NO. 1:**

That the document attached hereto as Exhibit 1 is a true and correct copy of an American Druggist article entitled "HEW Orders All States to Switch to Cost-Plus-Fee for Medicaid Prescriptions", dated January 1, 1975, and, pursuant to Wis. Stat. Ch. 909, is authentic.

### **REQUEST NO. 2:**

That the document attached hereto as Exhibit 2 is a true and correct copy of a letter from Lieutenant Governor Martin Schreiber to FDA, HEW, dated February 7, 1975, and, pursuant to Wis. Stat. Ch. 909, is authentic.

### **REQUEST NO. 3:**

That the document attached hereto as Exhibit 3 is a true and correct copy of a memorandum from Dale Cattnach to the Joint Committee on Finance, dated April 25, 1975, and, pursuant to Wis. Stat. Ch. 909, is authentic.

### **REQUEST NO. 4:**

That the document attached hereto as Exhibit 4 is a true and correct copy of Medicaid Pharmacy Task Force Meeting Minutes, dated December 5, 1975, and, pursuant to Wis. Stat. Ch. 909, is authentic.

### **REQUEST NO. 5:**

That the document attached hereto as Exhibit 5 is a true and correct copy of a letter from Lieutenant Governor Martin Schreiber to members of the Task Force on Medicaid Pharmacy Reimbursement, dated December 19, 1975, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 6:**

That the document attached hereto as Exhibit 6 is a true and correct copy of a letter from the Department of Health and Family Services (“DHFS”) to State Senator Henry Dorman and Assemblyman Dennis Conta, Co-Chairmen of the Joint Committee on Finance, dated January 5, 1976, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 7:**

That the document attached hereto as Exhibit 7 is a true and correct copy of a draft Medicaid Pharmacy Task Force Report, dated January 16, 1976, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 8:**

That the document attached hereto as Exhibit 8 is a true and correct copy of a Letter from James Krauskopf, Deputy Secretary of the Department of Health and Social Services (“DHSS”), to Clyde Downing, Regional Commission, HEW, dated June 30, 1977, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 9:**

That the document attached hereto as Exhibit 9 is a true and correct copy of a letter from Linda Reivitz, Secretary of DHSS, to Barbara Gagel, HCFA Regional Coordinator, dated June 10, 1985, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 10:**

That the document attached hereto as Exhibit 10 is a true and correct copy of a memorandum from Christine Nye, Director of the Bureau of Health Care Financing (“BHCF”), to George MacKenzie, Administrator, Division of Health, dated November 18, 1988, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 11:**

That the document attached hereto as Exhibit 11 is a true and correct copy of a memorandum from Christine Nye, Director, BHCF to Roberta Kostrow, Director, Bureau of Budget, dated November 22, 1988, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 12:**

That the document attached hereto as Exhibit 12 is a true and correct copy of a DHFS document entitled "Pharmacy Drug Reimbursement Problems," dated June 1, 1989, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 13:**

That the document attached hereto as Exhibit 13 is a true and correct copy of correspondence from Mike Boushon, Pharmacy Consultant, to Peggy Bartels, Director of Bureau of Health Care Financing and Dr. Dally, dated November 24, 1989, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 14:**

That the document attached hereto as Exhibit 14 is a true and correct copy of a letter from Christine Nye, Director, BHCF, to George F. MacKenzie, Administrator, Division of Health, dated January 12, 1990, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 15:**

That the document attached hereto as Exhibit 15 is a true and correct copy of a letter from James C. Olson, R.Ph., to Christine Nye, Director, BHCF, dated March 27, 1990, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 16:**

That the document attached hereto as Exhibit 16 is a true and correct copy of a letter from Christine Nye, BHCF, to James C. Olson, R.Ph., dated April 20, 1990, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 17:**

That the document attached hereto as Exhibit 17 is a true and correct copy of a memorandum from F. Creeren to C. Nye, dated June 28, 1990, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 18:**

That the document attached hereto as Exhibit 18 is a true and correct copy of Legislative Fiscal Bureau Paper #403, Best Price Requirement (H&SS – Medical Assistance), dated May 23, 1995, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 19:**

That the document attached hereto as Exhibit 19 is a true and correct copy of a DHSS document entitled “Analysis of Legislative Action, 1995-97 Biennial Budget,” dated July 5, 1995, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 20:**

That the document attached hereto as Exhibit 20 is a true and correct copy of a Wisconsin Department of Agriculture, Trade and Consumer Protection study entitled “Wholesale Pricing of Prescription Drugs in Wisconsin,” dated July 28, 1995, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 21:**

That the document attached hereto as Exhibit 21 is a true and correct copy of an OIG report entitled “Medicaid Pharmacy – Actual Acquisition Cost of Prescription Drug

Products for Brand Name Drugs,” dated April 10, 1997, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 22:**

That the document attached hereto as Exhibit 22 is a true and correct copy of an OIG report entitled “Medicaid Pharmacy - Actual Acquisition Cost of Generic Prescription Drug Products,” dated August 4, 1997, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 23:**

That the document attached hereto as Exhibit 23 is a true and correct copy of a letter from Zeneca Pharmaceuticals, dated January 23, 1998, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 24:**

That the document attached hereto as Exhibit 24 is a true and correct copy of an e-mail from Ted Collins to Alan White, dated February 24, 1998, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 25:**

That the document attached hereto as Exhibit 25 is a true and correct copy of a DHFS 1999-2001 Biennial Budget Issue Paper, dated June 2, 1998, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 26:**

That the document attached hereto as Exhibit 26 is a true and correct copy of a letter from Andrew Peterson, RPh., to Senator Brian D. Rude, dated October 7, 1998, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 27:**

That the document attached hereto as Exhibit 27 is a true and correct copy of a Minority Staff Report of the Committee on Government Reform and Oversight, U.S. House of Representatives, entitled "Prescription Drug Pricing in the Fifth Congressional District in Wisconsin: Drug Companies Profit at the Expense of Older Americans," dated October 9, 1998, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 28:**

That the document attached hereto as Exhibit 28 is a true and correct copy of a letter from Wisconsin Representative David Brandemuehl to DHFS Secretary Joe Llean, dated October 15, 1998, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 29:**

That the document attached hereto as Exhibit 29 is a true and correct copy of a letter from Joe Llean, DHFS, to State Senator Brian D. Rude, dated October 26, 1998, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 30:**

That the document attached hereto as Exhibit 30 is a true and correct copy of a memorandum from John A. Benske, Pharmacy Society of Wisconsin ("PSW"), to members of the Joint Committee On Finance, dated April 13, 1999, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 31:**

That the document attached hereto as Exhibit 31 is a true and correct copy of an e-mail from Michael Bormett to Richard Chao and Marjorie Pifer, dated April 14, 1999, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 32:**

That the document attached hereto as Exhibit 32 is a true and correct copy of Legislative Fiscal Bureau Paper #479, Drug Reimbursement (DHFS – Medical Assistance), dated June 1, 1999, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 33:**

That the document attached hereto as Exhibit 33 is a true and correct copy of a letter from Novartis to Roma Rowlands, dated October 28, 1999, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 34:**

That the document attached hereto as Exhibit 34 is a true and correct copy of a Kaiser Family Foundation report entitled “The Role of PBMs in Managing Drug Costs: Implications for a Medicare Drug Benefit,” dated January 2000, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 35:**

That the document attached hereto as Exhibit 35 is a true and correct copy of a letter from Bristol-Meyers Squib to Roma Rowlands, dated March 14, 2000, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 36:**

That the document attached hereto as Exhibit 36 is a true and correct copy of an e-mail from Ted Collins to Carrie Gray, dated May 26, 2000, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 37:**

That the document attached hereto as Exhibit 37 is a true and correct copy of an e-mail from Ted Collins to Carrie Gray, dated August 28, 2000, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 38:**

That the document attached hereto as Exhibit 38 is a true and correct copy of a DHFS document entitled “2001-2003 Budget Issue Paper, Medicaid Cost of Drugs,” dated September 22, 2000, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 39:**

That the document attached hereto as Exhibit 39 is a true and correct copy of a letter from Stephen C. Morton to Governor Tommy Thompson, dated November 6, 2000, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 40:**

That the document attached hereto as Exhibit 40 is a true and correct copy of a PSW document entitled “Position Statement, Pharmacy Medicaid Reimbursement Rate Reduction Included in the State Budget Bill,” dated 2000, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 41:**

That the document attached hereto as Exhibit 41 is a true and correct copy of a press release by Wisconsin State Senator Dave Hansen entitled “Senator Dave Hansen Recommends that Wisconsin Not Cut Pharmacy Reimbursement,” dated April 3, 2001, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 42:**

That the document attached hereto as Exhibit 42 is a true and correct copy of Legislative Fiscal Bureau Paper #474, Reimbursement Rates for Prescription Drugs, dated June 4, 2001, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 43:**

That the document attached hereto as Exhibit 43 is a true and correct copy of an OIG report entitled “Medicaid Pharmacy - Actual Acquisition Cost of Brand Name

Prescription Drug Products,” dated August 10, 2001, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 44:**

That the document attached hereto as Exhibit 44 is a true and correct copy of a GAO Report to Congressional Committees entitled “Medicare: Payments for Covered Outpatient Drugs Exceed Providers’ Cost,” dated September 2001, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 45:**

That the document attached hereto as Exhibit 45 is a true and correct copy of an e-mail from Michael Mergener, dated September 6, 2001, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 46:**

That the document attached hereto as Exhibit 46 is a true and correct copy of a Milwaukee Journal Sentinel editorial entitled “Keeping Drugs Affordable,” dated September 7, 2001, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 47:**

That the document attached hereto as Exhibit 47 is a true and correct copy of a Kaiser Family Foundation Report authored by David Kreling, et al., entitled “Prescription Drug Trends, A Chartbook Update,” dated November 2001, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 48:**

That the document attached hereto as Exhibit 48 is a true and correct copy of a document entitled “DOC Central Pharmacy Services Costs Compared to Medicaid Costs,” dated 2001, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 49:**

That the document attached hereto as Exhibit 49 is a true and correct copy of an OIG Report entitled "Review of Pharmacy Acquisition Costs for Drugs Reimbursed Under the Medicaid Prescription Drug Program of the Wisconsin Department of Health and Family Services," dated March 2002, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 50:**

That the document attached hereto as Exhibit 50 is a true and correct copy of a draft report authored by David Kreling, entitled "Pharmacy Cost of Dispensing/Acquisition Cost Study Final Report," dated March 6, 2002, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 51:**

That the document attached hereto as Exhibit 51 is a true and correct copy of an OIG Report entitled "Medicaid Pharmacy - Actual Acquisition Cost of Generic Prescription Drug Products," dated March 14, 2002, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 52:**

That the document attached hereto as Exhibit 52 is a true and correct copy of a letter from Amgen to Roma Rowlands, dated March 28, 2002, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 53:**

That the document attached hereto as Exhibit 53 is a true and correct copy of a George Washington University, National Health Policy Forum document entitled "Issue Brief: Average Whole Price for Prescription Drugs: Is There a More Appropriate Pricing Mechanism?," dated June 7, 2002, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 54:**

That the document attached hereto as Exhibit 54 is a true and correct copy of an OIG Report entitled "Medicaid Pharmacy – Additional Analyses of the Actual Acquisition Cost of Prescription Drug Products," dated September 16, 2002, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 55:**

That the document attached hereto as Exhibit 55 is a true and correct copy of a letter from Schering Plough to Roma Rowlands, dated October 3, 2002, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 56:**

That the document attached hereto as Exhibit 56 is a true and correct copy of a memorandum from Peggy Handrich to Mark Gajewski, dated December 13, 2002, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 57:**

That the document attached hereto as Exhibit 57 is a true and correct copy of an e-mail from Ted Collins to Carrie Gray, dated February 26, 2003, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 58:**

That the document attached hereto as Exhibit 58 is a true and correct copy of a letter from Helene Nelson, DHFS, to the Honorable Alberta Darling, Co-Chair, Joint Committee On Finance, dated March 25, 2003, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 59:**

That the document attached hereto as Exhibit 59 is a true and correct copy of the First DataBank NDDF Plus Glossary, dated April 2003, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 60:**

That the document attached hereto as Exhibit 60 is a true and correct copy of Legislative Fiscal Bureau Paper # 389, Prescription Drug Reimbursement Rates (DHFS – Health Care Financing – Payments, Services, and Eligibility), dated May 21, 2003, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 61:**

That the document attached hereto as Exhibit 61 is a true and correct copy of numerous e-mails from Wisconsin Pharmacists to Governor Doyle, dated June 27 - July 2, 2003, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 62:**

That the document attached hereto as Exhibit 62 is a true and correct copy of a letter from Mark Moody, DHFS, to Wisconsin Pharmacists, dated August 7, 2003, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 63:**

That the document attached hereto as Exhibit 63 is a true and correct copy of an OIG Report entitled “State Strategies to Contain Medicaid Drug Costs,” dated October 2003, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 64:**

That the document attached hereto as Exhibit 64 is a true and correct copy of a First DataBank document entitled “Business Objects Data Dictionary,” dated April 21, 2004, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 65:**

That the document attached hereto as Exhibit 65 is a true and correct copy of an e-mail from Ted Collins to Carol Neeno, dated December 16, 2004, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 66:**

That the document attached hereto as Exhibit 66 is a true and correct copy of the Department of Administration's 2005-07 Budget Issue Summary, dated 2004, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 67:**

That the document attached hereto as Exhibit 67 is a true and correct copy of an e-mail from Neil Gebhart to Robert Blaine, dated January 6, 2005, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 68:**

That the document attached hereto as Exhibit 68 is a true and correct copy of a DHFS 2005-07 Biennial Budget Issue Paper, dated January 25, 2005, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 69:**

That the document attached hereto as Exhibit 69 is a true and correct copy of e-mail correspondence between Katie Plona, Legislative Liason, and Donna Wong, dated April 18, 2005, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 70:**

That the document attached hereto as Exhibit 70 is a true and correct copy of an e-mail from Rebecca Aldaz to DHFS, dated April 21, 2005, 11:20 am, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 71:**

That the document attached hereto as Exhibit 71 is a true and correct copy of a letter from Chris Decker, PSW, to members of the Joint Committee on Finance, entitled "Wisconsin Medicaid Pharmacy Reimbursement: Why Changes Are Necessary," dated April 30, 2003, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 72:**

That the document attached hereto as Exhibit 72 is a true and correct copy of Legislative Fiscal Bureau Paper #371, Prescription Drug Reimbursement Rates, dated May 26, 2005, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 73:**

That the document attached hereto as Exhibit 73 is a true and correct copy of numerous e-mails from Wisconsin Pharmacists to Governor Doyle, dated February 8 -- July 29, 2005, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 74:**

That the document attached hereto as Exhibit 74 is a true and correct copy of the Medicaid Commission's report to the Honorable Secretary Michael O. Leavitt, DHHS, dated September 1, 2005, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 75:**

That the document attached hereto as Exhibit 75 is a true and correct copy of a letter from Marc J. Marotta, DOA, to Helene Nelson, DHFS, dated September 19, 2005, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 76:**

That the document attached hereto as Exhibit 76 is a true and correct copy of numerous e-mails from Wisconsin Pharmacists to Governor Doyle, dated August 4 - September 23, 2005, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 77:**

That the document attached hereto as Exhibit 77 is a true and correct copy of a document entitled "Pharmacy Commission Scope," dated October 27, 2005, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 78:**

That the document attached hereto as Exhibit 78 is a true and correct copy of a document entitled "Governor Doyle Announces Appointment of the Pharmacy Reimbursement Commission," dated October 27, 2005, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 79:**

That the document attached hereto as Exhibit 79 is a true and correct copy of a Governor's Commission on Pharmacy Reimbursement document entitled "Draft Outline of Final Report," dated January 23, 2006, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 80:**

That the document attached hereto as Exhibit 80 is a true and correct copy of the Governor's Commission on Pharmacy Reimbursement's Final Report, dated March 30, 2006, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 81:**

That the document attached hereto as Exhibit 81 is a true and correct copy of a letter from Mark Moody, Chairman, Pharmacy Reimbursement Commission, to Governor Doyle, dated April 13, 2006, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 82:**

That the document attached hereto as Exhibit 82 is a true and correct copy of the Wisconsin Pharmacy Reimbursement Commission's Minority Report, dated 2006, and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 83:**

That the document attached hereto as Exhibit 83 is a true and correct copy of a document entitled “Fact Sheet—Medicaid Fee-for-Service Drugs Benefit,” and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 84:**

That the document attached hereto as Exhibit 84 is a true and correct copy of a DHFS document entitled “Pharmacy Issues,” and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 85:**

That the document attached hereto as Exhibit 85 is a true and correct copy of a DHFS draft entitled “PSW Legislative Letter and Responses,” and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 86:**

That the document attached hereto as Exhibit 86 is a true and correct copy of a document entitled “OTC Drugs,” and, pursuant to Wis. Stat. Ch. 909, is authentic.

**REQUEST NO. 87:**

That the document attached hereto as Exhibit 87 is a true and correct copy of the Pharmacy Society of Wisconsin’s Proposed Medicaid Budget Package, and, pursuant to Wis. Stat. Ch. 909, is authentic.

December 7, 2007

/s/ Jennifer Walker

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*Attorneys for Amgen Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 7, 2007, a true and correct copy of the foregoing was served upon all counsel of record via electronic service pursuant to Case Management Order No. 1 by causing a copy to be sent to LexisNexis File & Serve for posting and notification.

/s/ Marc A. Marinaccio

Marc A. Marinaccio