

3. Amgen's responses are made based upon reasonable and diligent investigation conducted to date. Discovery and investigation in this matter are ongoing and Amgen reserves the right to amend its responses, produce evidence of any subsequently discovered fact, and to raise any additional objections it may have in the future. These responses are made based upon the typical or usual interpretation of words contained in the Requests, unless a specific definition or instruction has been provided and/or agreed upon. Notwithstanding any objection set forth herein, and without waiving any such objection, Amgen will negotiate with Plaintiff in an effort to reach an agreement regarding the scope of the Requests, and will supplement or amend these objections and responses consistent with those negotiations.

4. To the extent Amgen's responses to the Requests contain information subject to the Protective Order entered on November 29, 2005 in this matter, such information must be treated accordingly.

5. Amgen is responding on its own behalf, and not on behalf of Immunex Corporation, a wholly-owned subsidiary of Amgen, which has been named as a separate defendant in these proceedings and is separately represented by counsel.

GENERAL OBJECTIONS

Amgen objects generally to the Requests as follows:

1. Amgen objects to Plaintiff's "Definitions" and "Instructions" to the extent Plaintiff intends to expand upon or alter Amgen's obligations under the Wisconsin Rules of Civil Procedure. Amgen will comply with applicable rules of civil procedure in providing its responses and objections to the Requests.

2. Amgen objects to each request to the extent that it calls for the identification or production of documents or information not relevant to the issues in this action nor reasonably calculated to lead to the discovery of admissible evidence, or is overly broad,

unduly burdensome, ambiguous, or vague.

3. Amgen objects to the definition of “Document” on the ground that it is vague and ambiguous and to the extent it seeks to impose obligations beyond those imposed by the applicable Wisconsin Rules of Civil Procedure. Amgen further objects to this definition to the extent that it purports to require Amgen to identify or produce documents or data in a particular form or format, to convert documents or data into a particular file format, to produce documents or data on any particular media, to search for and/or produce or identify documents or data on back-up tapes, to produce any proprietary software, data, programs or databases, to violate any licensing agreement or copyright laws, or to produce data, fields, records, or reports about produced documents or data. The production of any documents or data or the provision of other information by Amgen as an accommodation to Plaintiff shall not be deemed to constitute a waiver of this objection.

4. Amgen objects to the extent the Requests are directed to not only Amgen but to its “subsidiaries, divisions, predecessors, officers, agents and all other persons acting or purporting to act on behalf of [Amgen] or its subsidiaries or predecessors” on the grounds that such an expansive request is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Amgen will conduct a reasonable search for responsive documents but does not undertake any responsibility to search for documents in the possession of other persons or separate corporate entities, which are not in Amgen’s possession, custody or control.

5. Amgen objects to the extent that any request seeks information concerning Amgen products not at issue in this litigation.

6. Amgen objects to the extent that any request seeks information or documents outside the time period relevant to this action, or after the filing of the initial Complaint on June 3, 2004. The production of any documents or the provision of any other information

by Amgen that pre-dates or post-dates the relevant time period shall not be deemed to constitute a waiver of this objection.

7. Amgen objects to the extent that any request seeks information that is protected from disclosure by the work product doctrine, the attorney-client, accountant-client, consulting expert, or investigative privileges, by any common interest or joint defense agreement, or by any other applicable privilege or protection.

8. Amgen objects to the extent that any request calls for information that is not within Amgen's possession, custody or control. In responding to these Requests, Amgen has undertaken or will undertake a diligent and reasonable search of documents and information within Amgen's current possession, custody or control.

9. Amgen objects to the extent that any request calls for information that is confidential, proprietary, and/or a trade secret of a third party. Any such materials produced will be subject to the Protective Order entered in this action.

10. Amgen objects to each request to the extent it seeks disclosure of information that is a matter of public record, is equally available to the Plaintiff, or is already in the possession of the Plaintiff.

11. Amgen expressly incorporates the above General Objections into each specific response to the Requests set forth below as if set forth in full therein. The response to a request shall not operate as a waiver of any applicable specific or general objection to the request.

RESPONSES TO REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 23: Attached hereto as Exh. 1 is a copy of a blank form entitled "HDMA Standard Product Information Pharmaceutical Products." Please produce all such forms that you have completed (as to any or all of the information on such forms) for any of your drugs from January 1, 1991 to the present as well as all documents that identify each person or entity, if any (including but not limited to Cardinal Health, McKesson Corporation, or Amerisource Bergen Corporation, or any of their predecessor

entities), to whom you sent or provided any such forms and the dates that you sent or provided such forms to any such person or entity.

RESPONSE: In addition to its General Objections, which are incorporated herein by reference, Amgen objects to Request for Production No. 23 on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Amgen further objects to this request to the extent it seeks information relating to Amgen products other than those identified in Exhibit E to the Second Amended Complaint.

Notwithstanding its general and specific objections, and without waiving them, Amgen agrees to undertake a reasonable search for non-privileged documents potentially responsive to this Request in a manner to be negotiated and agreed upon between the parties.

REQUEST FOR PRODUCTION NO. 24: Any documents reflecting communications with drug wholesalers (including but not limited to Cardinal Health, McKesson Corporation, or Amerisource Bergen Corporation, or any of their predecessor entities) relating to: (1) AWP, SWP, WAC, MAC, FUL, or direct price; or (b) any pricing compendia including but not limited to First DataBank, Medispan, and Red Book.

RESPONSE: In addition to its General Objections, which are incorporated herein by reference, Amgen objects to Request for Production No. 24 on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Amgen further objects to this request on the grounds that the terms “AWP,” “SWP,” “WAC,” “MAC,” “FUL” and “direct price” are vague, ambiguous and undefined. Additionally, Amgen objects to this request on the grounds that it is not limited by timeframe.

Notwithstanding its general and specific objections, and without waiving them, Amgen agrees to undertake a reasonable search for non-privileged documents potentially

responsive to this Request in a manner to be negotiated and agreed upon between the parties.

REQUEST FOR PRODUCTION NO. 25: Documents relating to any contract or agreement with any health-care provider (including but not limited to retail pharmacies (chain or independent), doctors, or long-term care facilities) to share in the profits earned by such provider in connection with the provider's sale or dispensing of any of your prescription drugs.

RESPONSE: In addition to its General Objections, which are incorporated herein by reference, Amgen objects to Request for Production No. 25 on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Amgen further objects to this request on the grounds that the phrase "share in the profits earned by such provider in connection with the provider's sale or dispensing of any of your prescription drugs" is vague and ambiguous. Additionally, Amgen objects to this request to the extent it seeks information relating to Amgen products other than those identified in Exhibit E to the Second Amended Complaint.

Notwithstanding its general and specific objections, and without waiving them, Amgen states that it has no documents responsive to this request.

August 21, 2008

/s/ Marc Marinaccio

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Certificate of Service

I hereby certify that on August 21, 2008 a true and correct copy of the foregoing was served on all counsel of record by Lexis Nexis File & Serve®.

/s/ Marc Marinaccio

Marc A. Marinaccio