

obligations beyond those imposed by the applicable Wisconsin Rules of Civil Procedure. Watson further objects to this definition to the extent it require or seeks to require Watson to (i) produce documents or data in a particular form or format; (ii) convert documents or data into a particular or different file format from that which the documents are now stored; (iii) produce documents or data on any particular media; (iv) search for and/or produce any documents or data on back-up tapes; (v) produce any proprietary software, data, programs; or databases; or (vi) violate any licensing agreements or copyright laws.

3. Watson objects to the definition of “you,” “your,” and “your company on the grounds that it is overly broad and unduly burdensome.

4. Watson’s responses to these Requests will contain information subject to the Final Protective Order entered in this matter by the State of Wisconsin Circuit Court for Dane County on November 29, 2005 and must be treated accordingly. Watson will produce information and documents subject to the terms of the Final Protective Order.

RESPONSE TO SPECIFIC REQUESTS

REQUEST NO. 7:

All documents listed in Appendix A attached hereto in unredacted form. Each of these documents is identified in the Third Amended Master Consolidated Class Action Compliant Amended to Comply With the Court’s Class Certification Order on the page listed in Appendix A and with the bates number identified in Appendix A. (Those without bates numbers are otherwise identified, e.g., paragraph 290).

RESPONSE TO REQUEST NO. 7:

Subject General Objections set forth above, Watson will produce the documents referenced in Appendix A that are labeled “Watson” and “MDLW.” However,

documents in Appendix A that are labeled “Watson” and bear document control numbers with the prefix “P” or “AB” were produced by the MDL plaintiffs or third parties on connection with *In re Pharmaceutical Industry Average Wholesale Price Litigation*, MDL Docket No. 1456 (“AWP MDL”). These documents are in the public domain and are more easily obtainable from other sources than from Watson. Watson therefore objects to this portion of the Request.

REQUEST NO. 8:

Documents discussing or concerning the policy and practice of each defendant concerning the disclosures providers and pharmacy benefit managers may make of the drug price information they receive from the defendant or drug wholesalers from 1993 to the present.

RESPONSE TO REQUEST NO. 8:

In addition to the General Objections set forth above, Watson objects to Request No. 8 on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Watson further objects to Request No. 8 on the grounds that the phrases “drug price information” and “disclosures” are vague and undefined. Watson also objects to this Request on the grounds that the Request may call for information and documents outside Watson’s possession, custody and control and that it seeks documents outside of the applicable timeframe and statute of limitations.

Subject to and without waiving any of these objections or the General Objections, Watson will produce representative contracts between Watson and pharmacy benefit managers, as well as representative contracts between Watson and physicians or

physicians groups, that include provisions relating to the disclosures such entities may make of the drug price information they receive from Watson.

REQUEST NO. 9:

Exemplar agreements between each defendant and providers and pharmacy benefit managers applying defendants' policies and practices relating to the disclosures such entities may make of the drug price information they receive from defendant or wholesalers.

RESPONSE TO REQUEST NO. 9:

In addition to the General Objections set forth above, Watson objects to Request No. 9 on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Watson further objects to Request No. 9 on the grounds that the phrases "exemplar agreements," "drug price information," and "disclosures" are vague and undefined. Watson also objects to this Request on the grounds that the Request may call for information and documents outside Watson's possession, custody and control and that it seeks documents outside of the applicable timeframe and statute of limitations.

Subject to and without waiving any of these objections or the General Objections, Watson will produce representative contracts between Watson and pharmacy benefit managers, as well as representative contracts between Watson and physicians or physicians groups, that include provisions relating to the disclosures such entities may make of the drug price information they receive from Watson.

REQUEST NO. 10:

Any sworn statement or deposition of any current or former employee or agent relating to any claim or investigation about or connected with: a) whether the defendant's

published Average Wholesale Price (AWP) was or is inaccurate, or b) whether the defendant's published Wholesale Acquisition Cost (WAC) was or is accurate, or c) whether the defendant misrepresented its Average Wholesale Price or Wholesale Acquisition Cost to any publication, person, entity, or official, or d) whether the defendant violated a federal "best price" law or regulation, or e) whether the defendant's agents furnished free samples to providers for improper reasons.

RESPONSE TO REQUEST NO. 10:

In addition to the General Objections set forth above, Watson objects to Request No. 10 on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Watson furthers objects on the grounds that the terms "claim," "investigation," "accurate" "inaccurate" and "improper reasons" are vague and ambiguous and that the phrases "Average Wholesale Price," "Wholesale Acquisition Cost," "federal 'best price' law or regulation," and "free samples" are undefined. Watson objects to this request to the extent it seeks documents or information related to non-Watson employees. Watson further objects to this request to the extent it calls for a legal conclusion or seeks documents that may not be produced pursuant to a protective order in another proceeding. Watson also objects on the grounds that Request No. 10 seeks documents outside of the applicable timeframe and statute of limitations.

Subject to and without waiving any of these objections or the General Objections set forth above, Watson states that it will produce to Plaintiffs the transcripts of depositions of present and former employees taken in the AWP MDL, subject to the protective order restrictions in that case and any applicable court reporter licensing restrictions.

Dated: January 9, 2006

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CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of January 2006, a true and correct copy of Defendants Watson Pharma, Inc.'s and Watson Pharmaceuticals, Inc.'s Responses to Plaintiff's Written Discovery Request No. 3 was served on all Parties as set forth below:

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