

amend its answer and to raise any additional objections it may have in the future. This answer was made based upon the typical or usual interpretation of words contained in Plaintiff's Interrogatory, unless a specific definition or instruction has been provided and/or agreed upon.

4. Any statement made by BMS contained in these objections and answers that non-privileged documents or information will be produced in response to Plaintiff's Interrogatory does not mean that any such documents or information actually exist, but only that they will be produced to the extent that they exist.

5. BMS's answer to Plaintiff's Interrogatory contains information subject to the Protective Order in this matter and must be treated accordingly.

6. BMS's answer to Plaintiff's Interrogatory is submitted without prejudice to BMS's right to produce evidence of any subsequently discovered facts and to present in any proceeding and at trial any further information and documents contained during discovery and preparation of trial. BMS accordingly reserves its right to provide further objections and answers as additional facts are ascertained.

GENERAL OBJECTIONS

BMS objects generally to Plaintiff's Interrogatory as follows:

1. BMS objects to Plaintiff's "Definitions" to the extent Plaintiff intends to expand upon or alter BMS's obligations under the Wisconsin Rules of Procedure, in responding to Plaintiff's Interrogatory. BMS will comply with Wisconsin Rules of Civil Procedure in providing its answer to Plaintiff's Interrogatory.

2. BMS objects to the definition of the word "Document(s)" on the grounds that it is vague and ambiguous and to the extent that it seeks to impose obligations beyond those imposed by the applicable Wisconsin Rules of Civil Procedure. BMS further objects to this definition to the extent that it purports to require BMS 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 BMS as an accommodation to Plaintiff shall not be deemed to constitute a waiver of this objection.

3. BMS objects to Plaintiff's Interrogatory to the extent it seeks documents information not relevant to the issues in this action or not reasonably calculated to lead to the discovery of admissible evidence.

4. BMS objects to Plaintiff's Interrogatory to the extent they are ambiguous and vague, overly broad or unduly burdensome.

5. BMS objects to Plaintiff's Interrogatory to the extent it seeks information that are privileged or otherwise protected from disclosure by the work product doctrine, the attorney-client privilege, accountant-client, consulting expert privilege, investigative privileges, any common interest or joint defense agreement, or any other applicable privilege or protection. To the extent that any such documents or information is inadvertently produced in response to Plaintiff's Interrogatory, the production of such documents and information shall not constitute waiver of BMS's right to assert the applicability of any privilege or immunity to the information, and any documents and information shall be returned to BMS's counsel immediately upon discovery thereof.

6. BMS objects to Plaintiff's Interrogatory to the extent it seeks information not within BMS's possession, custody or control or are more appropriately sought from third-parties to whom requests have been or may be directed. In responding to Plaintiff's Interrogatory, BMS has undertaken or will undertake a reasonably diligent and reasonable search of documents and information within BMS's current possession, custody or control.

7. BMS objects to Plaintiff's Interrogatory to the extent it calls for information that is confidential, proprietary, commercially sensitive, a trade secret, and/or a trade secret of a third-party or that is protected from disclosure by an agreement with a third-party.

8. BMS objects to Plaintiff's Interrogatory 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.

9. BMS objects to any implications and to any explicit or implicit characterization of facts, events, circumstances, or issues in Plaintiff's Interrogatory. BMS's response that it has or will produce documents or information in connection with Plaintiff's Interrogatory is not intended to indicate that BMS agrees with any implication or any explicit or implicit characterization of facts, events, circumstances, or issues in Plaintiff's Interrogatory or that such implications or characterizations are relevant to this action.

10. BMS expressly incorporates the above Preliminary Statement and General Objections in its answer to Plaintiff's Interrogatory set forth below as if set forth in full therein. An answer to Plaintiff's Interrogatory shall not operate as a waiver of any applicable specific or general objection.

ANSWERS AND OBJECTION TO INTERROGATORY

INTERROGATORY NO. 12:

With respect to the facts which you identify in response to interrogatories No. 6 and No. 8 identify each person having knowledge of each of these facts and identify which fact each person has knowledge of, and state the present business title, business address and home address of each such person.

ANSWER: BMS incorporates by reference herein its objections and responses to Interrogatories Nos. 6 and 8. BMS further objects to Interrogatory No. 12 on the grounds that it is overly broad and unduly burdensome and to the extent it seeks information protected by the attorney-client privilege and work-product doctrine. BMS also objects to this Interrogatory because BMS has not yet fully identified all individuals who may have knowledge of all of the facts that support BMS's denials and Affirmative Defenses since discovery and investigation remain ongoing.

Notwithstanding BMS's general and specific objections, and without waiving them, BMS refers to its prior production of documents and depositions to Plaintiff. BMS expressly reserves the right to supplement this Interrogatory Answer in the future.

Dated: March 15, 2007



Daniel T. Flaherty
GODFREY & KAHN
One East Main Street
P.O. Box 2719
Madison, WI 53701-2719
(608) 257-3911 (phone)
(608) 257-0609 (fax)

Steven M. Edwards
Lyndon M. Tretter
Thomas J. Sweeney, III
HOGAN & HARTSON, LLP
875 Third Ave.
New York, NY 10022
212-918-3000 (phone)
212-918-3100 (fax)

Attorneys for Bristol-Myers Squibb Co.

Certificate of Service

I, Lyndon M. Tretter, hereby certify that on this 15th day of March 2007, a true and correct copy of **ANSWERS AND OBJECTIONS OF DEFENDANT BMS TO PLAINTIFF'S FOURTH SET OF INTERROGATORIES TO ALL DEFENDANTS** was served on all counsel of record by Lexis Nexis File & Serve® pursuant to the Order dated December 20, 2005.


Lyndon M. Tretter