

RESPONSES AND OBJECTIONS TO INTERROGATORY

INTERROGATORY NO. 12:

With respect to the facts which you identify in response to interrogatories No. 6 and No. 8 (attached) 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 TO INTERROGATORY NO. 12:

Ben Venue incorporates by reference herein its objections and responses to Interrogatories Nos. 6 and 8. Ben Venue 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. Ben Venue also objects to this Interrogatory because Ben Venue has not yet fully identified all individuals who may have knowledge of all of the facts that support Ben Venue's denials and Affirmative Defenses since discovery and investigation remain ongoing.

GENERAL OBJECTIONS

1. Ben Venue objects to the definition of "Document(s)" as set forth in Definition 2 on the grounds that it is overly broad, unduly burdensome, vague, and ambiguous. Ben Venue further objects to this definition to the extent that it purports to require Ben Venue 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 Ben Venue as an accommodation to Plaintiff shall not be deemed to constitute a waiver of this objection.

2. Ben Venue objects to the Interrogatory to the extent it seeks information or documents outside the knowledge of Ben Venue, its agents or employees, or information or documents not within the possession, custody or control of Ben Venue, its agents or employees.

3. Ben Venue objects to the Interrogatory to the extent that it seeks information or documents covered by the attorney-client privilege, work product privilege, or any other applicable privilege. In the event that Ben Venue supplies information or produces a documents that is privileged, its production is inadvertent and does not constitute waiver of any privilege.

4. Ben Venue objects to any implications and to any explicit or implicit characterization of the facts, events, circumstances, or issues contained in the Interrogatory. Ben Venue's response that it has or will produce documents or information in connection with the Interrogatory, or that it has no responsive document or information, does not indicate that any implication or any explicit or implicit characterization of facts, events, circumstances, or issues in the Interrogatory is accurate, relevant to this litigation, or that Ben Venue agrees with such implications or characterizations.

5. Ben Venue objects to the Interrogatory to the extent that it is unreasonably cumulative or duplicative or that it calls for information or documents that are publicly available, or are obtainable from some other source that is more convenient, less burdensome or less expensive.

6. Ben Venue objects to the Interrogatory to the extent that it calls for information that is confidential, proprietary, and/or a trade secret of a third party.

7. Ben Venue objects to the Interrogatory to the extent it purports to impose upon Ben Venue duties and/or obligations broader than or inconsistent with those imposed by the Wisconsin Rules of Civil Procedure.

8. Ben Venue objects to the Interrogatory to the extent that it is unreasonably burdensome or expensive, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation.

9. Ben Venue objects to the Interrogatory to the extent that it calls for the identification or production of documents or information not relevant to the issues in this action and are not reasonably calculated to lead to the discovery of admissible evidence.

10. Ben Venue objects to the Interrogatory to the extent it seeks information or documents generated or compiled in the course of the defense of this action or any other AWP litigation.

11. The documents and information provided in response to the Interrogatory are for use in this litigation and for no other purpose.

12. Ben Venue's answers to the Interrogatory contain information subject to the Protective Order in this matter and must be treated accordingly.

Ben Venue expressly incorporates these General Objections into each specific response to the Interrogatory set forth above as if set forth in full therein. The responses to the Interrogatory shall not operate as a waiver of any applicable specific or general objection.

Dated: March 19, 2007

Respectfully submitted,

/s/ Ceylan Ayasli Eatherton

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CERTIFICATE OF SERVICE

I, Ceylan Ayasli Eatherton, hereby certify that on this 19th day of March, 2007, a true and correct copy of the foregoing BEN VENUE LABORATORIES, INC.'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S INTERROGATORIES NO. 4 was served on all counsel of record via Lexis Nexis File & Serve®.

/s/ Ceylan Ayasli Eatherton
Ceylan Ayasli Eatherton