



## **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:**

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

### **GENERAL OBJECTIONS**

1. BIPI 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. BIPI further objects to this definition to the extent that it purports to require BIPI 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 BIPI as an accommodation to Plaintiff shall not be deemed to constitute a waiver of this objection.

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

3. BIPI 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 BIPI supplies information or produces a documents that is privileged, its production is inadvertent and does not constitute waiver of any privilege.

4. BIPI objects to any implications and to any explicit or implicit characterization of the facts, events, circumstances, or issues contained in the Interrogatory. BIPI'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 BIPI agrees with such implications or characterizations.

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

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

BIPI 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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