

fields, contained in First DataBank's NDDF file and defined in First DataBank's NDDF Plus Glossary.

2. "Concern" and "Concerning" mean directly or indirectly referring to, relating to, regarding, constituting, comprising, containing, setting forth, summarizing, reflecting, stating, describing, recording, noting, embodying, mentioning, studying, analyzing, evidencing, discussing, or evaluating.

3. "Document" or "Documents" shall mean any type of tangible material, whether, written, recorded, microfilmed, microfiched, photographed, computerized, reduced to an electronic or magnetic impulses, otherwise preserved or rendered, and including but not limited to, papers, agreements, contracts, notes, memoranda, electronic or computer-transmitted messages viewed via monitor, correspondence, letters, emails, facsimile transmissions, statements, invoices, record books, reports, studies, analyses, minutes, working papers, charts, graphs, drawings, calendars, appointment books, diaries, indices, tapes, summaries and/or notes regarding telephone conversations, personal conversations, interviews, and meetings, and any and all other written, printed, recorded, taped, typed duplicated, reproduced or other tangible matter in your possession, custody or control, including all copies which are not identical to the originals, such as those bearing marginal comments, alterations, notes, other notations not present on the original document as originally typed, written, or otherwise prepared.

4. "Person" means any natural Person or any business, corporation, partnership, proprietorship, association, organization, governmental entity, group of Persons, or other entity of whatever nature.

5. "Pricing Compendia" means First DataBank or Blue Book.

6. "Relevant Time Period" means January 1, 1993 until the present.

7. “Suggested AWP” refers to data contained in either the Suggested Wholesale Unit Price (“SWP”) or the Suggested Wholesale Package Price (“SWPPKG”) data fields, contained in First DataBank’s NDDF file and defined in First DataBank’s NDDF Plus Glossary.

8. “Medical Assistance Programs” means the Wisconsin Medicaid, BadgerCare, SeniorCare, or any other medical assistance program wholly or partially funded by the State of Wisconsin for which the State seeks recovery of damages.

9. “You,” “Your,” “State,” “Wisconsin,” or “Plaintiff” refer collectively to Plaintiff State of Wisconsin, any state office, agency, or body, including, but not limited to, the Office of the Attorney General, the Department of Administration, the Department of Health & Family Services, the Governor’s Office, the state Auditor, the state legislature, legislative committees, all successors and predecessors, and officials, agents, employees, commissions, boards, divisions, departments, agencies, instrumentalities, administrators and other Persons or entities acting on their behalf and/or involved in administering, overseeing, or monitoring any State program, including Medicaid, that provides reimbursement for pharmaceutical products.

GENERAL INSTRUCTIONS

1. Unless otherwise specifically stated, the Requests and Interrogatories below refer to the time period of January 1, 1993 to the present.

2. These Requests are directed to the State of Wisconsin, as defined in Definition 9 above, and any State office, agency, or body that may be in possession of responsive Documents.

3. Provide the following information for each Document withheld on the grounds of privilege: (i) its date; (ii) its title; (iii) its author; (iv) its addressees; (v) all of its recipients; (vi) the specific privilege under which it is withheld; (vii) its general subject

matter; and (vii) a description of it that You contend is adequate to support Your contention that it is privileged.

4. To the extent that You consider any of the following Requests and/or Interrogatories objectionable, please respond to the remainder of the Request and/or Interrogatory, and separately state the part of each Request and/or Interrogatory to which you object and each ground for objection with sufficient particularity and in sufficient detail to permit the court to determine whether information falls within the scope of such objections.

5. Each Request extends to all Documents in the possession, custody, or control of You or anyone acting on Your behalf. A Document is to be deemed in Your possession, custody, or control if it is in Your physical custody, or if it is in the physical custody of any other Person and You (i) own such Document in whole or in part; (ii) have a right, by contract, statute, or otherwise, to use, inspect, examine, or copy such Document on any terms; (iii) have an understanding, express or implied, that You may use, inspect, examine, or copy such Document on any terms; or (iv) have, as a practical matter, been able to use, inspect, examine, or copy such Document when You sought to do so.

6. If production is requested of a Document that is no longer in Your possession, custody, or control, state when the Document was most recently in Your possession, custody, or control, how the Document was disposed of, and the identity of the Person, if any, presently in possession, custody, or control of such Document. If the Document has been destroyed, state the reason for its destruction.

7. The singular is meant to include the plural, and vice versa.

8. The terms “and” and “or” have both conjunctive and disjunctive meanings, and the terms “each,” “any” and “all” mean “each and every.”

INTERROGATORIES

INTERROGATORY NO. 1:

In addition to Blue Book AWP, did You receive Suggested AWP information from the Pricing Compendia at any time during the Relevant Time Period?

INTERROGATORY NO. 2:

If your answer to Interrogatory No. 1 is anything other than an unqualified “no,” please explain:

- a. The time period during which you received the Suggested AWP information from the Pricing Compendia.
- b. How the Suggested AWP information has been used, relied upon, referenced or considered in evaluating, revising or setting reimbursement to Providers under Wisconsin’s Medical Assistance Programs; and
- c. When You began to use, rely upon, reference or consider the Suggested AWP information in evaluating, revising or setting reimbursement to Providers under Wisconsin’s Medical Assistance programs.

SPECIFIC REQUESTS FOR DOCUMENTS TO BE PRODUCED

1. All data sent to You from First DataBank and/or Blue Book during the Relevant Time Period.
2. All Documents Concerning the Together Card Program, the Together RX Access Program, and any other pharmaceutical manufacturer sponsored program under which drugs are provided either free or at lower cost to patients/consumers, including, but not limited to, draft and final public statements concerning these programs, evaluations or analyses of these programs or the benefits conferred by these programs on Wisconsin or its citizens, and descriptions of the operation of these programs.
3. All Documents Concerning the design, operation, and management of the BadgerCare Rx Gold program.

4. All Documents Concerning or describing the amount of rebates that pharmaceutical drug manufacturers have provided to Wisconsin or its citizens under the BadgerCare Rx Gold program.

5. All Documents Concerning how rebates provided by pharmaceutical drug manufacturers under the BadgerCare Rx Gold program were passed on to Wisconsin patients/consumers.

February 25, 2008

/s/ Jennifer A. Walker

Joseph H. Young
Steven F. Barley
Jennifer A. Walker
HOGAN & HARTSON, LLP
111 S. Calvert St., Suite 1600
Baltimore, MD 21202
410-659-2700 (phone)
410-539-6981 (fax)

William M. Conley
Matthew D. Lee
FOLEY & LARDNER
150 East Gilman Street
Verex Plaza
Madison, WI 53703
Telephone: (608) 257-5035
Facsimile: (608) 258-4258

Attorneys for Amgen Inc.

CERTIFICATE OF SERVICE

I hereby certify that on February 25, 2008, a true and correct copy of the foregoing document was served upon all counsel of record via LexisNexis File & Serve.

/s/ Laurice Y. Chen