
STATE OF WISCONSIN,)
)
 Plaintiff,)
)
 v.)
)
 ABBOTT LABORATORIES, INC., et. al.,)
)
 Defendants.)

Case No.: 04 CV 1709

**DEFENDANTS' SEVENTH SET OF INTERROGATORIES AND
REQUESTS FOR PRODUCTION DIRECTED TO PLAINTIFF**

Pursuant to Wis. Stat. §§ 804.08 and 804.09, Defendants request that the State of Wisconsin ("Plaintiff") respond to the following Interrogatories and Requests for Production (the "Requests") no later than 30 days from date of service. In an effort to limit the burden on Plaintiff and advance the efficient resolution of this litigation, Defendants have coordinated in propounding these interrogatories. By submitting joint Interrogatories, Defendants do not intend to waive or limit each Defendant's right to propound additional discovery, whether joint or individual.

DEFINITIONS

1. The term "And" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the request any information that might otherwise be construed to be outside its scope.

2. The term "Document" means the original and each non-identical copy of a document in any medium, including electronic form, whether or not it was communicated to any person other than the author, including but not limited to, writings, printouts, printings, photographs, photocopies, tapes, recordings, video recordings, electronic data, e-

mails, and any other symbolic representations in your possession, custody or control or known or believed by you to exist.

3. "NAMFCU" means the National Association of Medicaid Fraud Control Units.

4. The "NAMFCU Presentation" refers to the presentation given by Ven-A-Care of the Florida Keys Inc. to the National Association of Medicaid Fraud Control Units on March 19, 1998.

5. "Person" means any natural person or any business, legal or governmental entity or association.

6. "Refer," "relate," and "relating to" means in any way consisting of or containing, showing, evidencing, relating or referring in any way, directly or indirectly, to, and is meant to include, among other documents, documents underlying, characterizing, supporting, now or previously attached or appended to, or used in the preparation of any document called for by each request.

7. "Wisconsin," "you" or "your" means the State of Wisconsin, including but not limited to the office of the Department of Health and Family Services, the Department of Administration, the Governor's Office, the Legislative and Fiscal Bureau, the Joint Committee on Finance, the Legislative Audit Bureau, the Legislative Reference Bureau, and any other Wisconsin agencies and programs.

INSTRUCTIONS

1. Unless otherwise specifically stated, the requests below refer to the time period of January 1, 1992 to the present.

2. Each request for production of documents extends to all documents in your possession, custody or control or that of 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 (a) own such document in whole or in part; (b) have a right, by contract, statute or otherwise, to use, inspect, examine or copy such document on any terms; (c) have an understanding, express or implied, that you may use, inspect, examine or copy such document on any terms; or (d) have, as a practical matter, been able to use, inspect, examine or copy such document when you sought to do so.

3. If production is requested of a document that is no longer in your possession, custody or control, your response should 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.

4. Provide the following information for each document withheld or redacted on the grounds of privilege:

- (a) its date;
- (b) its title;
- (c) its author;
- (d) its addressee;
- (e) the specific privilege under which it is withheld;
- (f) its general subject matter; and
- (g) a description of the document that is adequate to support your contention that it is privileged.

5. These interrogatories and requests for documents are continuing in nature so as to require, whenever necessary, continuing production and supplementation of responses between the initial date for production set forth above and the end of trial.

6. To the extent that you consider any of the following requests for production of documents and/or interrogatories objectionable, please respond to the remainder of the

production request and/or interrogatories, and separately state the part of each request to which you object and each ground for objection.

INTERROGATORIES

INTERROGATORY NO. 1:

Did any of Your employees, agents or representatives attend the March 19, 1998 NAMFCU Presentation, or any other NAMFCU meeting at which the March 19, 1998 NAMFCU Presentation was discussed?

INTERROGATORY NO. 2:

If the answer to Interrogatory No. 1 is anything other than an unqualified no, identify:

- a. Each of Your employees, agents or representatives who attended the March 19, 1998 NAMFCU Presentation, or any other NAMFCU meeting at which the March 19, 1998 NAMFCU Presentation was discussed; and
- b. Each document You or any of Your employees, agents or representatives received or created in connection with the March 19, 1998 Presentation, or any other NAMFCU meeting at which the March 19, 1998 NAMFCU Presentation was discussed.

REQUESTS FOR PRODUCTION

REQUEST NO. 1:

All Documents identified in response to Interrogatory No. 2, above.

Dated: April 25, 2008

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Certificate of Service

I, Jennifer A. Walker, hereby certify that on this 25th day of April, 2008, a true and correct copy of the foregoing was served on all counsel of record by Lexis Nexis File & Serve®.

/s/ Marc A. Marinaccio
Marc A. Marinaccio