
STATE OF WISCONSIN,

Plaintiff,

v.

Case No. 04 CV 1709

AMGEN INC., et al.,

Defendants.

**IMMUNEX CORPORATION'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S
FOURTH SET OF INTERROGATORIES TO ALL DEFENDANTS**

Pursuant to Sec. 804.08, Wis. Stats., defendant Immunex Corporation ("Immunex"), by its attorneys, objects and responds to Plaintiff's Fourth Set of Interrogatories ("Plaintiff's Requests") as follows:

PRELIMINARY STATEMENT

1. These responses and objections are made solely for the purposes of this action. Each response is subject to all objections as to competence, relevance, materiality, propriety, and admissibility, and to any and all other objections on any grounds that would require the exclusion of any statements contained herein if such Plaintiff's Requests were asked of, or statements contained herein were made by, a witness present and testifying in Court, all of which objections and grounds are expressly reserved and may be interposed at the time of trial.

2. Immunex's responses shall not be deemed to constitute admissions:
- a. that any particular document or thing exists, is relevant, non-privileged, or admissible in evidence; or
 - b. that any statement or characterization in Plaintiff's Requests is accurate or complete.

3. Immunex's responses are made based upon reasonable and diligent investigation conducted to date. Discovery and investigation in this matter are ongoing and Immunex reserves the right to amend its responses and to raise any additional objections it may have in the future. These responses are made based upon the typical or usual interpretation of words contained in Plaintiff's Requests, unless a specific definition or instruction has been provided and/or agreed upon.

4. Immunex's responses to Plaintiff's Requests contain information subject to the Protective Order in this matter and must be treated accordingly.

5. Immunex is responding on its own behalf, and not on behalf of Amgen Inc., the parent company of Immunex, which has been named as a separate defendant in these proceedings and is separately represented by counsel.

6. Immunex's responses to Plaintiff's Requests are submitted without prejudice to Immunex's right to produce evidence of any subsequently discovered fact. Immunex accordingly reserves its right to provide further responses and answers as additional facts are ascertained.

GENERAL OBJECTIONS

Immunex objects generally to Plaintiff's Requests as follows:

1. Immunex objects to Plaintiff's "Definitions" to the extent Plaintiff seeks to expand upon or alter Immunex's obligations under Wisconsin law, in responding to Plaintiff's Requests. Immunex will comply with Wisconsin law in providing its responses to Plaintiff's Requests.

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

3. Immunex objects to Plaintiff's Requests to the extent they call for the identification or production of documents or information not relevant to the issues in this action or not reasonably calculated to lead to the discovery of admissible evidence.

4. Immunex objects to Plaintiff's Requests to the extent they seek information that is protected from disclosure by the work product doctrine, the attorney-client, accountant-client, consulting expert, or investigative privileges, any common interest or joint defense agreement, or any other applicable privilege or protection.

5. Immunex objects to Plaintiff's Requests to the extent they call for information not within Immunex's possession, custody or control. In responding to Plaintiff's Requests, Immunex has undertaken or will undertake a reasonably diligent and reasonable search of documents and information within Immunex's current possession, custody or control.

6. Immunex objects to Plaintiff's Requests to the extent they call for information that is confidential, proprietary, and/or a trade secret of a third-party or is protected from disclosure by an agreement with a third-party.

7. Immunex objects to Plaintiff's Requests to the extent they seek 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.

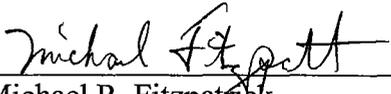
8. Immunex expressly incorporates the above General Objections into the specific response set forth below as if set forth in full therein. A response to Plaintiff's Requests shall not operate as a waiver of any applicable specific or general objection.

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

Dated this 13th day of March, 2007.



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