

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

STATE OF WISCONSIN,

Plaintiff,

v.

Case No. 06-C-0582-C

AMGEN, INC. ET AL.,

Defendants.

**PLAINTIFF STATE OF WISCONSIN'S INTERROGATORIES NO. 3 (TO ALL
DEFENDANTS) AND REQUEST FOR PRODUCTION OF DOCUMENTS NO. 4 (TO
ALL DEFENDANTS)**

Pursuant to F.R.C.P 33 and 34 plaintiff propounds the following interrogatories and request for production of documents to all defendants to be answered within 30 days of receipt hereof:

INTERROGATORIES

INTERROGATORY NO. 6: With respect to any allegation of the Amended Complaint which you denied in your Answer state each fact that supports each such denial.

INTERROGATORY NO. 7: Identify each document that supports each such denial.

INTERROGATORY NO. 8: With respect to each affirmative defense you assert in your Answer to the Amended Complaint state the facts which support that defense.

INTERROGATORY NO. 9: Identify each document that supports the facts upon which you base each such affirmative defense.

INTERROGATORY NO. 10: Have you ever communicated directly with any official of the State of Wisconsin about the prices of any of your drugs, including AWP, WAC, or any other prices irrespective of the nomenclature used.

INTERROGATORY NO. 11: If the answer to Interrogatory No. 10 is yes, identify all such communications by date, time, and purpose, the persons who communicated this information, the persons to whom this information was communicated, who said what to whom or who wrote what to whom, and identify any documents containing or describing the information communicated to Wisconsin officials.

DOCUMENT REQUESTS

DOCUMENT REQUEST NO. 12: Produce each document identified in response to Interrogatory Nos. 7, 9 and 11.

DOCUMENT REQUEST NO. 13: Produce any documents commenting on, concerning or about how or to what extent wholesalers mark up drugs for resale including, but not limited to, any documents relating to the case of Brand Name Prescription Drugs Antitrust Litigation, 94 C 897 (N.D. Ill.)

DEFINITIONS

1. The terms “you,” “your,” or “your company” shall mean the defendants, and their subsidiaries, divisions, predecessors, officers, agents and all other persons acting or purporting to act on behalf of defendants or their subsidiaries or predecessors.

2. The words “document” and “documents” are used in the broadest possible sense and refer, without limitation, to all written, printed, typed, photostatic, photographed, recorded or otherwise reproduced communications or representations of every kind and description, whether comprised of letters, words, numbers, pictures, sounds, or symbols, or any combination thereof, whether prepared by hand or by mechanical, electronic, magnetic, photographic, or other means, as well as audio or video recordings of communications, oral statement, conversations or events. This definition includes, but it not limited to, any and all of the following: day-timers, journals,

logs, calendars, handwritten notes, correspondence, minutes, records, messages, memoranda, telephone memoranda, diaries, contracts, agreements, invoices, orders, acknowledgements, receipts, bills, statements, appraisals, reports, forecasts, compilations, schedules, studies, summaries, analyses, pamphlets, brochures, advertisements, newspaper clippings, tables tabulations, financial statements, working papers, tallies, maps, drawings, diagrams, sketches, x-rays, charts labels, packaging, plans, photographs, pictures, film, microfilm, microfiche, computer-stored or computer-readable data, computer programs, computer printouts, telegrams, telexes, telefacsimiles, tapes, transcripts, recordings, and all other sources or formats from which data, information or communications can be obtained. Any preliminary versions, drafts, or revisions of any of the foregoing, any document which has or contains any attachment, enclosure, comment, notation, addition, insertion, or marking of any kind which is not a part of another document, or any document which does not contain a comment, notation, addition, insertion, or marking of any kind which is part of another document, is to be considered a separate document.

INSTRUCTIONS

1. In responding to these requests, Defendants are required to produce all responsive documents that are in the possession, custody, or control of any of them or any of their agents.
2. All documents that respond, in whole or in part, to any portion of the production requests below shall be produced in their entirety, including all attachments and enclosures.
3. If you withhold any document requested on the basis of a claim that it is protected from disclosure by privilege, work product, or otherwise, provide the following information separately for each such document:
 - (a) The name and title of every author, sender, addressee, and recipient by category;

- (b) The date of the document;
- (c) The name and title of each person (other than stenographic or clerical assistants) participating in preparation of the document;
- (d) The name and title of each person to whom the contents of the document have been communicated by copy, exhibition, reading, or summary;
- (e) A description of the nature and subject matter of the document;
- (f) A statement of the basis on which it is claimed that the document is protected from disclosure; and
- (g) The name and title of the person supplying the information requested in subparagraphs (a) through (f) above.

4. Notwithstanding a claim that a document is protected from disclosure, any document so withheld must be produced with the portion claimed to be protected excised.

Dated this 12th day of January, 2007.



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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing PLAINTIFF STATE OF WISCONSIN'S INTERROGATORIES NO. 3 (to all defendants) AND REQUEST FOR PRODUCTION OF DOCUMENTS NO. 4 (to all defendants) to be served on counsel of record by transmission to LNFS pursuant to Order dated December 20th, 2005.

Dated this 12th day of January, 2007.



Charles Barnhill