

protection. In the event any information subject to a privilege, immunity or protection is produced or otherwise revealed by Respondents, its production is inadvertent and does not constitute a waiver of any privilege, immunity or protection.

3. Respondents object to the Interrogatories to the extent that they call upon Respondents for, and/or to reveal, legal conclusions to Plaintiff. Respondents' responses shall not be deemed to constitute admissions that any statement or characterization in the Interrogatories is accurate or complete.

4. Respondents undertake to answer the Interrogatories only to the extent required by the Wisconsin Rules of Civil Procedure, the local rules of this Court, and other applicable law (collectively, "Rules"), and Respondents object to the Interrogatories to the extent that they purport to exceed, expand upon or conflict with those Rules. For example, and without limitation, Respondents object to Plaintiff's "definitions" to the extent Plaintiff intends to expand upon or alter the Rules.

5. Respondents have not completed their investigation and discovery relating to this case. The specific responses set forth below and any information provided pursuant to the responses are based upon, and necessarily limited by, information now available to Respondents. Respondents reserve the right, at any time, to revise, correct, and to supplement, modify, or clarify the specific responses set forth below or the information disclosed therein. By this reservation, Respondents do not, however, assume a continuing responsibility to update their responses beyond the requirements of the Rules, and they object to the Interrogatories to the extent they seek to impose any such continuing obligation.

6. Respondents object to each of the Interrogatories (i) to the extent they call for information generated after the date this action was commenced, or (ii) to the extent they call for

information pertaining to any time outside of the limitations periods applicable to any of Plaintiff's claims; because the Interrogatories are to this extent overly broad and unduly burdensome, and seek information that is not relevant to the subject matter involved in the pending action, including the claim or defense of any party in this litigation, and not reasonably calculated to lead to the discovery of admissible evidence.

7. Respondents object to each Interrogatory to the extent that they may be construed as calling for confidential information relating to a patient. Respondents will not produce any such information to the extent they are under any obligation to maintain the patient information in confidence. Respondents will not disclose such information unless the patient grants permission to do so.

8. Respondents object to each Interrogatory as unduly burdensome to the extent that it seeks information that is available, in a way that would be less burdensome or expensive, from a public source or some other source available to the Plaintiff.

9. Respondents object to each Interrogatory to the extent that it purports to require Respondents to search through an unduly large quantity of data or to search for information that is not accessible, available or locatable without imposing an undue burden upon Respondents. Subject to and without waiving any objection, Respondents will conduct a reasonable search for responsive information that is reasonably accessible, available and locatable.

10. Respondents object to each Interrogatory to the extent that (1) it seeks information regarding drugs other than the drugs that are at issue in this litigation or (2) concerns matters not related to Wisconsin, because such information is not relevant to the subject matter involved in the pending action, including the claim or defense of any party in this litigation, and not reasonably calculated to lead to the discovery of admissible evidence.

11. Respondents object to the Interrogatories to the extent the answers to such Interrogatories may be derived or ascertained from documents previously produced by Respondents in response to prior Requests for Production of Documents.

12. Respondents object to the Interrogatories to the extent that they are indefinite and/or fail to describe the information requested with reasonable particularity, and to the extent that they employ terms or definitions that render the Interrogatories vague or ambiguous. Except as otherwise stated, Respondents will interpret any such term based on their understanding of the term's usage, if any, by Respondents and/or in the pharmaceutical industry.

13. Respondents' responses to the Interrogatories are supplied for use in this litigation and for no other purpose.

14. Respondents expressly incorporate by reference as if fully set forth herein their objections and reservations to Plaintiff's prior sets of interrogatories and document production requests, as well as any objection or reservation of rights made by any co-defendant in this action to the extent such objections or reservation of rights is not inconsistent with Respondents' position in this litigation.

15. Respondents object to the production of any information encompassed within one of the General Objections set forth herein or within one of the Specific Objections set forth below. In the event any information submitted falls within any objection, its production does not constitute waiver of the objection. Respondents expressly incorporate their General Objections into each specific response to the Interrogatories set forth below. Any Specific Objections provided below are made in addition to these General Objections and failure to reiterate a General Objection below does not constitute a waiver or limitation of that or any other objection.

The response to an interrogatory shall not operate as a waiver of any applicable Specific or General Objection.

SPECIFIC RESPONSES AND OBJECTIONS TO INTERROGATORIES

INTERROGATORY NO. 6:

With respect to any allegations of the Amended Complaint which you denied in your Answer state each fact that supports each such denial.

RESPONSE:

In addition to the General Objections set forth above, Respondents object to Interrogatory No. 6 on the grounds that it is vague, ambiguous, overbroad, and unduly burdensome. Respondents further object to this Interrogatory to the extent it seeks information related to Respondents' denials that are based in whole or part on the application of applicable laws or legal conclusions and unreasonably attempts to shift Plaintiff's burden of proof to Respondents by requiring Respondents to "prove" a negative – the absence of proof of Plaintiff's allegations. Plaintiff's Second Amended Complaint contains 100 paragraphs, many of which include multiple allegations of evidentiary fact. However, Interrogatory No. 6 purports to require Respondents to identify facts in support of each and every denial – no matter how insignificant or minor the allegation – when it is Plaintiff's burden to prove its allegations, not Respondents' burden to disprove them. Furthermore, Respondents object to this Interrogatory because it is a premature contention interrogatory at this stage of discovery because Respondents have not yet fully identified all facts that may support their denials since investigation and discovery remain ongoing.

INTERROGATORY NO. 7:

Identify each document that supports each such denial.

RESPONSE:

In addition to the General Objections set forth above, Respondents object to Interrogatory No. 7 on the grounds set forth in their Response to Interrogatory No. 6.

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.

RESPONSE:

In addition to the General Objections set forth above, Respondents object to Interrogatory No. 8 on the grounds that it is vague, ambiguous, overbroad, and unduly burdensome. Respondents also object to this Interrogatory to the extent it seeks information related to Respondents' affirmative defenses that are based in whole or part on the application of applicable laws or legal conclusions. Among other things, Interrogatory No. 8 purports to require Respondents to provide a narrative account of all of the factual support for all of the affirmative defenses asserted in their Answer. Certain affirmative defenses asserted by Respondents are based on the words and acts of Plaintiff, and, therefore, proof of these defenses (or counter-proof) should be within Plaintiff's own knowledge. Furthermore, Respondents object to this Interrogatory because it is a premature contention interrogatory at this stage of discovery because, among other things, Respondents have not yet fully identified all facts that may support their denials since investigation and discovery remains ongoing.

INTERROGATORY NO. 9:

Identify each document that supports the facts upon which you base each such affirmative defense.

RESPONSE:

In addition to the General Objections set forth above, and the objections to Interrogatory No. 8, which are incorporated herein, Respondents object to Interrogatory No. 9 on the grounds that it is vague, ambiguous, overbroad, and unduly burdensome.

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's, WAC's, or any other prices irrespective of the nomenclature used.

RESPONSE:

In addition to the General Objections set forth above, Respondents object to Interrogatory No. 10 on the grounds that it is vague, ambiguous, overbroad, and unduly burdensome.

Respondents further object to this Interrogatory to the extent that the terms "AWP" and "WAC" are undefined, and the terms "official" and "communicated directly" are vague and ambiguous.

Subject to and without waiving these specific objections or their General Objections, Respondents state that Warrick has communicated directly with Plaintiff regarding the prices of its drugs. Respondents further state that Schering-Plough does not manufacture, market or distribute drugs, and therefore, *inter alia*, has not communicated about the prices of any of its drugs.

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 person to whom this information was communicated, who said what to whom or who wrote what to whom, and identify and documents containing or describing the information communicated to Wisconsin officials.

ANSWER

In addition to the General Objections set forth above, and the objections to Interrogatory No. 10, which are incorporated herein, Respondents object to Interrogatory No. 11 on the grounds that it is vague, ambiguous, overbroad, and unduly burdensome.

Subject to and without waiving these specific objections or their General Objections, Respondents agree to identify any non-privileged communications and documents, to the extent they exist, as described in Interrogatory No. 11.

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 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

In addition to the General Objections set forth above, and the objections to Interrogatories Nos. 6 and 8, which are incorporated herein, Respondents object to Interrogatory No. 12 on the grounds that it is vague, ambiguous, overbroad, and unduly burdensome. Respondents also object to this Interrogatory because Respondents have not yet fully identified all individuals who may have knowledge of all of the facts that support Respondents' denials and affirmative defenses since discovery and investigation remains ongoing.

Dated March 19, 2007



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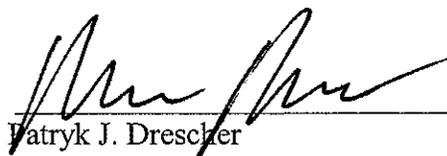
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*Attorneys for Defendants Schering-Plough Corp., and
Warrick Pharmaceuticals Corp.*

CERTIFICATE OF SERVICE

I hereby certify that on this 19 day of March 2007, a true and correct copy of Schering-Plough Corporation's and Warrick Pharmaceuticals Corporation's Response to Plaintiff's Third and Fourth Set of Interrogatories was served upon all counsel of record via Lexis Nexis File & Serve electronic service.



Patryk J. Drescher