STATE OF WISCONSIN CIRCUIT COURT DANE COUNTY
BRANCH 10

STATE OF WISCONSIN,

Plaintiff,

Case No.: 04-CV-1709
Unclassified Civil: 30703

v.

AMGEN INC., et al.,

Defendants.

DEFENDANT TEVA PHARMACEUTICALS USA, INC.'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S FOURTH SET OF INTERROGATORIES (TO ALL DEFENDANTS)

Pursuant to Wisconsin Statutes §§ 804.01, 804.08 and Wisconsin Rule of Civil Procedure 804.04, Defendant Teva Pharmaceuticals USA, Inc. ("Teva"), by its counsel, asserts these responses and objections to Plaintiff State of Wisconsin's Interrogatories No. 4 (To All Defendants) ("Interrogatories"), dated January 16, 2007, and propounded by Plaintiff State of Wisconsin ("Plaintiff", "Wisconsin" or "State"), as follows:

GENERAL OBJECTIONS

Teva expressly incorporates all of the General Objections set forth below into the Specific Objections for each Interrogatory. Any specific objections provided are made in addition to these General Objections and failure to reiterate a General Objection below does not constitute a waiver of that or any other objection.

1. These responses are made without in any way waiving or intending to waive: (a) any objections as to the competency, relevancy, materiality, privilege, or admissibility as evidence, for any purpose, of any information produced in response to these

Interrogatories; (b) the right to object on any ground to the use of the documents or information produced in response to the Interrogatories or Requests at any hearings or at trial; or (c) the right to object on any ground at any time for further responses to these Interrogatories.

2. Teva reserves the right at any time to revise, correct, add to, supplement, or clarify any of the responses contained herein.

3. Teva has not completed its investigation and discovery in this case. Accordingly, the specific responses set forth below and any production made pursuant to the accompanying document requests are based upon, and necessarily limited by, information now available to Teva.

4. Teva states that its responses are subject to the Protective Order entered on November 29, 2005 in this action.

5. Teva objects to the Interrogatories to the extent that they demand the production of documents or information containing trade secrets, or proprietary, commercially sensitive or other confidential information.

6. Teva objects to the disclosure, under any circumstance, of trade secret information where the probative value in this litigation is greatly exceeded by the potential harm to Teva if the information were to fall into the hands of its competitors, and further asserts each and every applicable privilege and rule governing confidentiality to the fullest extent provided by the law and the Protective Order entered in this litigation.

7. Teva objects to the Interrogatories to the extent they purport to impose duties and obligations on Teva beyond the duties and obligations under the Wisconsin Rules of Civil Procedure and the applicable local rules. Teva will comply with its duties and obligations under the Wisconsin Rules of Civil Procedure and the applicable local rules.

8. Teva states that the information supplied herein is for use in this litigation and for no other purpose.

9. Teva objects to these Interrogatories to the extent that they seek information that is neither relevant to the subject matter of the pending action nor reasonably calculated to lead to the discovery of admissible evidence, or are overly broad, unduly burdensome, ambiguous, or vague.

10. Teva objects to Plaintiff's Interrogatories to the extent that they seek information protected by the attorney-client privilege, the work product doctrine, or any other immunity, privilege or exemption from discovery recognized by any applicable law or rule. To the extent that any such protected information is inadvertently disclosed in response to these Interrogatories, the production of such information shall not constitute a waiver of Teva's right to assert the applicability of any privilege or immunity, and any such information and documents shall be returned to Teva's counsel immediately upon discovery thereof.

11. Teva objects to Plaintiff's Interrogatories to the extent that they seek any information beyond Teva's possession, custody, or control.

12. Teva objects to Plaintiff's Interrogatories to the extent that they call for information that is more appropriately sought from third parties to whom requests have been or may be directed.

13. Teva objects to the Interrogatories to the extent that they call for the identification or production of publicly available documents or documents that could be obtained from Plaintiff's own files or other sources.

14. Teva objects to Plaintiff's Interrogatories to the extent that they explicitly or implicitly characterize facts, events, circumstances, or issues relating to the subject of this litigation.

15. Teva's responses to Plaintiff's Interrogatories shall not be construed in any way as an admission that any definition provided by Plaintiff is either factually or legally binding upon Teva. Neither the fact that an objection is interposed to a particular Interrogatory, nor the fact that no objection is interposed necessarily means that responsive information exists. Teva's undertaking to furnish information responsive to Plaintiff's Interrogatories is subject to the general provision that Teva only agrees to provide information to the extent that it can be identified on the basis of reasonable diligence.

16. Teva objects to the Interrogatories to the extent that they demand the production of documents or information from outside of the statute of limitations timeframe applicable to the Plaintiff's claims in this action, or beyond the time period relevant to this action. Teva objects to the Interrogatories as irrelevant, overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence to the extent that they purport to require production of documents or seek information relating to a period of time after the filing of the Complaint on or around June 3, 2004.

17. Teva objects to the Interrogatories to the extent they demand production of documents or information relating to Teva's activities that are outside the scope of the Second Amended Complaint.

18. Teva objects to the Interrogatories to the extent that they demand production of documents or information relating to Teva's activities other than those which concern the State, on the grounds that such documents or information are neither relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence.

19. Teva objects to Plaintiff's definition of "You", "Your" and "Your Company" on the grounds that it is overly broad and unduly burdensome. Teva further objects to this definition to the extent that it purports to include entities and persons that are not parties to this action.

20. Teva objects to Plaintiff's definition of "Document" and "Documents" on the grounds that it is vague, ambiguous, and overbroad. Teva further objects to this definition to the extent that it includes documents that are protected by the attorney-client privilege, the work product doctrine, or any other applicable doctrine or privilege. Teva further objects to this definition to the extent that it seeks to impose obligations on Teva that are greater than, or inconsistent with, Teva's obligations under the Wisconsin Rules of Civil Procedure and the applicable local rules. Further, Teva objects to this definition to the extent that it purports to include within its scope of documents or information containing or consisting of proprietary information, trade secrets, or information of a competitively sensitive nature.

21. Where Teva responds by identifying a current or former employee of a Teva entity, any attempt by plaintiff to contact such individuals should be made through Teva's counsel, Kirkland & Ellis LLP.

22. Teva reserves the right to assert additional objections to these Interrogatories as appropriate to amend or supplement these objections and responses in accordance with the applicable local rules and court orders and based on the results of its continuing investigation.

23. Teva hereby incorporates by reference as if fully set forth herein any objection or reservation of rights made by any defendant in this action to the extent such objection or reservation of rights is not inconsistent with Teva's position in this litigation.

RESPONSE TO SPECIFIC INTERROGATORIES

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 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.

RESPONSE TO INTERROGATORY NO. 12:

In addition to the General Objections and Conditions set forth above, Teva objects to this Interrogatory on the grounds that it is vague, ambiguous, overly broad, and fails to identify with sufficient particularity the information sought. Teva objects to this Interrogatory to the extent it seeks information protected by the work-product doctrine. Teva likewise objects to this Interrogatory to the extent that it calls for legal conclusions. Teva further objects to this Interrogatory on the grounds that it purports to impose obligations that exceed those imposed by the Wisconsin Rules. Moreover, Teva objects to this Interrogatory because Teva has not yet

fully identified all individuals who may have knowledge of all of the facts that support Teva's denials and Affirmative Defenses since discovery and investigation remain ongoing.

Teva hereby incorporates by reference herein its objections and responses to Interrogatories Nos. 6 and 8. Teva reserves the right to assert additional objections to this Interrogatory as appropriate and to amend or supplement its response and objections in accordance with the applicable rules and court orders and based on results of its continuing investigation.

Subject to and without waiving the general and specific objections asserted herein, and in addition to the testimony given by Teva's 30(b)(6) deponent, John Wodarczyk, on October 10, 2006 that bears on the responses hereto, Teva states as follows, based on information developed during the course of this case:

(a) The following current or former Teva employees have the most knowledge pertaining to the information contained in portions of Teva's responses to Interrogatories Nos. 6 and 8, and should only be contacted through undersigned counsel: Paul Krauthauser and John Wodarczyk.

(b) In addition, Teva believes that, based on information developed in the course of this case, the following individuals have knowledge of the facts identified in response to Interrogatory No. 6, subparagraphs (b), (d), and (f) through (n), and in response to Interrogatory No. 8, subparagraphs (j), (l), (q), (m), (t), (v), (y), (bb), and (ee):

(i) Linda Boone Abbott, Department of Health and Human Services, Office of Evaluation and Inspections ("OEI")

(ii) Suzanne Bailey, OEI

(iii) Peggy Bartels, Wisconsin Department of Health and Family Services ("Wisconsin DHFS")

(iv) Erin Bliss, OEI

(v) Peter Blouke, Montana Department of Public Health and Human Services ("Montana DPHHS")

(vi) Charles Booth, Department of Health and Human Services, Centers for Medicare and Medicaid Services ("CMS")

(vii) Randal Bowsher, Montana DPHHS

(viii) Mike Boushon, Wisconsin DHFS

(ix) Denise Brunett, Montana DPHHS

(x) Margaret Bullock, Montana DPHHS

(xi) Isabelle Buonocore, OEI

(xii) Edward K. Burley, OEI

(xiii) Jeff Buska, Montana DPHHS

(xiv) Madeline Carpinelli, OEI

(xv) Pamela Carson, CMS

(xvi) John Chappuis, Montana DPHHS

(xvii) Mary Beth Clarke, OEI

(xviii) Natalie Coen, OEI

(xix) Mary Angela Collins, Montana DPHHS

(xx) Theodore Collins, Wisconsin DHFS

(xxi) Gary Crayton, Florida Agency for Health Care Administration ("Florida AHCA")

(xxii) Dr. Alfred Daily, Wisconsin DHFS

(xxiii) Mary Dalton, Montana DPHHS

(xxiv) Tricia Davis, OEI

(xxv) Chris Decker, Pharmacy Society of Wisconsin

(xxvi) Nancy-Ann Min DeParle, CMS

(xxvii) Charles Duarte, Nevada Division of Health Care Financing and Policy ("Nevada DHCFP")

(xxviii) David DuPre, CMS

(xxix) Tanaz Dutia, OEI

(xxx) Ken Dybevik, Wisconsin DHFS

(xxxi) Yvonne Dyson, CMS

(xxxii) Dr. Emmanuel Ebo, Nevada Mental Health and Behavioral Health Services

(xxxiii) Nancy Ellery, Montana DPHHS

(xxxiv) Ayana Everett, OEI

(xxxv) Kevin Farber, OEI

(xxxvi) Lisa A. Foley, OEI

(xxxvii) Karen Folk, OEI

(xxxviii) Linda Frisch, OEI

(xxxix) Jennifer Gera, OEI

(xl) Rob Gibbons, OEI

(xli) David Graf, OEI

(xlii) Carrie Gray, Wisconsin DHFS

(xliii) Joyce M. Greenleaf, OEI

(xliv) Rita Hallet, Wisconsin DHFS

(xlv) Allan Hansen, Myers & Stauffer LC

(xlvi) Cynthia Hansford, OEI

(xlvii) Cheryl A. Harris, CMS

(xlviii) Russell W. Hereford, OEI

(xlix) Michael Hillerby, State of Nevada

(l) Scott Horning, OEI

(li) Charles Hunter, Montana DPHHS

(lii) Jeffrey Ireland, Montana DPHHS

(liii) Michael Jackson, Florida Pharmacy Association

(liv) Robert A. Katz, OEI

(lv) Charles W. Kazlett, CMS

(lvi) Janet Kilian, OEI

(lvii) Ruben J. King-Shaw, Jr., Florida AHCA

(lviii) George Kitchens, Florida AHCA

(lix) Tom Komaniecki, OEI

(lx) Terry Krantz, Montana DPHHS

(lxi) Martha B. Kvall, OEI

(lxii) Fred Kwan, OEI

(lxiii) Daniel Lai, OEI

(lxiv) Shane Lanzo, OEI

(lxv) Mary Lau, Retail Association of Nevada

(lxvi) Cynthia Lawrence, Nevada DHCFP

(lxvii) Erin Lemire, OEI

(lxviii) Amy Lin, OEI

(lxix) Patti Loyack, OEI

(lxx) Keith MacDonald , Nevada DHCFP

(lxxi) George F. MacKenzie, Wisconsin DHFS

(lxxii) Benjamin T. Mahdi, OEI

(lxxiii) Shannon Marr, Montana DPHHS

(lxxiv) Ann Maxwell, OEI

(lxxv) Barry McCoy, OEI

(lxxvi) Susan McLeod, Florida AHCA

(lxxvii) Lauren McNulty , OEI

(lxxviii) Emily Melnick, OEI

(lxxix) Nancy Molyneaux, OEI

(lxxx) Neil Montavani, OEI

(lxxxi) Mark Moody, Wisconsin DHFS

(lxxxii) William Moran, OEI

(lxxxiii) Linda Moscoe, OEI

(lxxxiv) Kathy Munson, Montana DPHHS

(lxxxv) Carol Neeno, Wisconsin DHFS

(lxxxvi) Helene Nelson, Wisconsin DHFS

(lxxxvii) Robert Nieman, CMS

(lxxxviii) Christine Nye, Wisconsin DHFS

(lxxxix) Laurie Olson, Nevada State Pharmacy Assistance Program

(xc) Andrew Peterson, OEI

(xci) Daniel Wade Peterson, Montana DPHHS

(xcii) Kevin Piper, Wisconsin DHFS

(xciii) Dorothy Poulsen, Montana DPHHS

(xciv) Duane Preshinger, Montana DPHHS

(xcv) Kenneth R. Price, OEI

(xcvi) Lourdes Puntonet, OEI

(xcvii) Linda Ragone, OEI

(xcviii) Vivek Rao, OEI

(xcix) Lucille M. Rinaldo, CMS

(c) Brian Ritchie, OEI

(ci) Thomas J. Robertson, OEI

(cii) Craig Schneider, OEI

(ciii) Louise Schoggen, OEI

(civ) David Schrag, OEI

(cv) Thomas Scully, CMS

(cvi) Amy Sernyak, OEI

(cvii) Robert Sharpe, Florida AHCA

(cviii) Ethan Shaw, OEI

(cix) Jim Smith, Smith & McGowan

(cx) Laurie Squartsoff, Nevada DHCFP

(cxi) Elise Stein, OEI

(cxii) Mark Stiglitz, OEI

(cxiii) Chester Stroyny, CMS

(cxiv) Timothy Stratton, University of Montana

(cxv) Sue Sutter, Marshland Pharmacy

(cxvi) Ronald Swenson, Nevada Department of Information Technology

(cxvii) David Tawes, OEI

(cxviii) Barbara Tedesco, OEI

(cxix) Christopher Thompson, Nevada DHCFP

(cxx) Penny Thompson, OEI

(cxxi) April Townley, Nevada DHCFP

(cxxii) Ivan E. Troy, OEI

(cxxiii) James Vavra, Wisconsin DHFS

(cxxiv) David Veroff, OEI

(cxxv) Robert A. Vito, OEI

(cxxvi) Bruce Vladeck, CMS

(cxxvii) Stuart R. Wright, OEI

(cxxviii) Jerry Wells, Florida AHCA

(cxxix) Alan White, Wisconsin DHFS

(cxxx) Mike Willden, Nevada Department of Health and Human Services

(cxxxi) Donna Wong, Wisconsin Office of the Governor

(cxxxii) Mark R. Yessian, OEI

(c) Teva believes that, based on information developed in the course of this case, the following individuals who are currently or were previously employed by First DataBank have knowledge of how pricing compendia determine published AWPs and WACs:

(i) Joseph Hirschmann;

(ii) Patricia Kay Morgan;

(iii) James Breen; and

(iv) Ed Edelstein.

Dated: September 12, 2007

AS TO ALL OBJECTIONS:

/s/ Jennifer G. Levy

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Certificate of Service

I, Jennifer G. Levy, hereby certify that on this 12th day of September, 2007, a true and correct copy of the foregoing was served on all counsel of record by Lexis Nexis File & Serve®.

/s/_Jennifer G. Levy_____
Jennifer G. Levy