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STATE OF WISCONSIN,	)	
	)	
Plaintiff,	)	Case No.: 04-CV-1709
	)	
v.	)	
	)	
AMGEN INC., et. al.,	)	
	)	
Defendants.	)	
	)	

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**OBJECTIONS AND RESPONSE OF DEFENDANT AVENTIS BEHRING LLC, N/K/A ZLB BEHRING LLC, TO PLAINTIFF’S FIFTH SET OF INTERROGATORIES TO ALL DEFENDANTS**

Pursuant to Rule 804.09 of the Wisconsin Rules of Civil Procedure, Defendant Aventis Behring LLC, n/k/a ZLB Behring LLC (“Behring”), by its undersigned counsel, provides the following objections and response to Plaintiff’s Fifth Set of Interrogatories to all Defendants, dated November 8, 2007. Behring incorporates as though fully set forth herein its Preliminary Statement and General Objections as stated in its initial responses to Plaintiff’s First Set of Interrogatories, its responses to Plaintiff’s Second Set of Interrogatories, and its responses to Plaintiff’s Third and Fourth Sets of Interrogatories.

**INTERROGATORIES**

**INTERROGATORY NO. 13:** For each calendar year from 1993 to the present, identify the following:

- (a) the gross annual sales of your drugs in the United States; and
- (b) the percentage of the gross annual sales of your drugs in the United States that is attributable to Medicaid patients, *i.e.*, that results from sales to (or stated differently, reimbursement by) state Medicaid programs.

**RESPONSE:** Behring objects to this Interrogatory on the grounds the phrases “gross annual sales,” “attributable to Medicaid patients,” and “result from sales to” are vague,

ambiguous, and undefined. Behring also objects to this Interrogatory on the grounds that it is overly broad, not relevant to the issues in this action, and not reasonably calculated to lead to the discovery of admissible evidence, to the extent it is not limited to the Subject Drugs at issue in this action, is not limited to the time period subject to discovery, and requests nationwide data while Plaintiff's claims are limited to the Wisconsin Medicaid program. Subject to and without waiving its objections, Behring states that because it does not generally sell its products directly to consumers, it is not in a position to determine which of its products are ultimately reimbursed by any state Medicaid program. Behring further states that it has already produced or will produce data containing information that may be responsive to this Interrogatory.

Dated: December 10th, 2007

By: /s/ Jonathan T. Rees  
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ATTORNEYS FOR DEFENDANT  
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ZLB BEHRING LLC

**CERTIFICATE OF SERVICE**

I hereby certify that I have on this 10th day of December, 2007, electronically served a true and correct copy of the Responses and Objections of Aventis Behring LLC, n/k/a ZLB Behring LLC, to Plaintiff's Fifth Set of Interrogatories to All Defendants on counsel of record by transmission to LNFS, pursuant to Case Management Order.

/s/ Jonathan T. Rees  
Jonathan T. Rees