



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

4. Behring's answer to Plaintiff's Interrogatory contains information subject to the Protective Order in this matter and must be treated accordingly.

5. Behring is responding on its own behalf, and not on behalf of any former parent or other company which has been named as a separate defendant in these proceedings and is separately represented by counsel.

6. Behring's answer to Plaintiff's Interrogatory is submitted without prejudice to Behring's right to produce evidence of any subsequently discovered fact. Behring accordingly reserves its right to provide further objections and answers as additional facts are ascertained.

### **GENERAL OBJECTIONS**

Behring objects generally to Plaintiff's Interrogatory as follows:

1. Behring objects to Plaintiff's "Definitions" to the extent Plaintiff intends to expand upon or alter Behring's obligations under the Wisconsin Rules of Procedure, in responding to Plaintiff's Interrogatory. Behring will comply with Wisconsin Rules of Civil Procedure in providing its answer to Plaintiff's Interrogatory.

2. Behring 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 Wisconsin Rules of Civil Procedure. Behring further objects to this definition to the extent that it purports to require Behring 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 Behring as an accommodation to Plaintiff shall not be deemed to constitute a waiver of this objection.

3. Behring objects to Plaintiff's Interrogatory to the extent it calls for information not relevant to the issues in this action or not reasonably calculated to lead to the discovery of admissible evidence.

4. Behring objects to Plaintiff's Interrogatory to the extent it seeks 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. Behring objects to Plaintiff's Interrogatory to the extent it calls for information not within Behring's possession, custody or control. In responding to Plaintiff's Interrogatory, Behring has undertaken or will undertake a reasonably diligent and reasonable search of documents and information within Behring's current possession, custody or control.

6. Behring objects to Plaintiff's Interrogatory to the extent it calls 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. Behring objects to Plaintiff's Interrogatory to the extent it seeks 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. Behring expressly incorporates the above General Objections in its answer

to Plaintiff's Interrogatory set forth below as if set forth in full therein. An answer to Plaintiff's Interrogatory shall not operate as a waiver of any applicable specific or general objection.

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

Notwithstanding Behring's general and specific objections, and without waiving them, Behring agrees to produce business records, in a manner to be negotiated and agreed upon between the parties, from which the answer to Interrogatory No. 12 may be obtained. Behring expressly reserves the right to supplement this Interrogatory Answer in the future.

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Dated: April 2, 2007

Respectfully submitted,

**HURLEY, BURISH & STANTON, S.C.**

By: /s/

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ATTORNEYS FOR DEFENDANTS

**CERTIFICATE OF SERVICE**

I hereby certify that on this 2<sup>nd</sup> day of April, 2007, a true and correct copy of ZLB Behring, L.L.C., f/k/a Aventis Behring, L.L.C.'s Answers and Objections to Plaintiff's Fourth Set of Interrogatories to All Defendants was served on counsel of record by Lexis Nexis File & Serve.

/s/ \_\_\_\_\_