

TF-240  
WITNESS

V.S.

DATE

3-14-08

3-18-08

3-18-08

3-18-08

3-18-08

3-18-08  
21

3-18-08



3AN-06-05630CI Volume: 017  
Volume 017  
State of Alaska vs. Eli Lilly & Co

VOL. 17

CIVIL

IN THE  
TRIAL COURTS  
OF THE  
STATE OF ALASKA

TYPE OF PROCEEDING

*Exhibit  
Lists Only*

PLAINTIFF'S  
ATTORNEY

\_\_\_\_\_  
\_\_\_\_\_

*Begin:*  
*End:*

DEFENDANT'S  
ATTORNEY

\_\_\_\_\_  
\_\_\_\_\_

MASTER ASSIGNED	DATE ASSIGNED	DATE DISQUALIFIED	BY WHOM DISQUALIFIED

JUDGE ASSIGNED	DATE ASSIGNED	DATE DISQUALIFIED	BY WHOM DISQUALIFIED

FILING FEE  
RECEIPT#



IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA  
 AT Anchorage

STATE OF ALASKA  
 Plaintiff

vs.

CASE NO. JAN06-5630 C

Eli Lilly  
 Defendant

WITNESS LIST

PLAINTIFF'S WITNESSES

DATE	TAPE NO.	LOG NO.	WITNESS NAME
3-6-08	4308-49	9:11:02 1:26:09	Dr. Frederick BRANCATI, MD
3-7-08	4308-50	9:21:06 1:32:31	Dr. John Gueriguian, MD
3-10-08	4308-51	9:13:07 1:49:29	Dr. John Gueriguian, MD
3-11-08	4308-52	10:05:22 10:27:18	JACK JORDAN, video deposition
3-11-08	4308-52	10:30:40 12:46:40	Charles Beatty, video deposition
3-12-08	4308-54	10:05:22 10:38:25	Joy C. Esk, video deposition
3-12-08	4308-54	10:40:34 1:30:10	Dr. Raymond Hobson, API
3-13-08	4308-55	9:12:32 12:02:51	Dr. Raymond Hobson, API
3-13-08	4308-55	12:27:05 1:16:28	Dr. John C. Lechleiter, video depo
3-14-08	4308-56	8:53:27 1:1:35	Dr. William W. Eshing

DEFENDANT'S WITNESSES

DATE	TAPE NO.	LOG NO.	WITNESS NAME
3/16/08	4308-58	8:45:28 1:30:10	Dr. Silvio Inzucchi
3/19/08	4308-59	10:20:08 10:36:26	Dr. Michael Bandick, video depo
3/20/08	4308-59	11:49:18 11:49:58	Dawn Torres, video depo
3-18-08	4308-59	12:52:13 1:30	Dr. Allen Breice, video depo
3-19-08	4308-61	10:48:59 1:30:00	Dr. David A. Kahn
3-20-08	4308-63	8:37:08 1:06:30	Dr. David A. Kahn
3-21-08	4308-65	9:00:39 11:27:54	Dr. Charles Beatty, video depo
3-21-08	4308-65	11:38:15 1:30:00	Dr. Robert Baker
3-25-08	4308-68	8:53:47 1:30	Dr. Robert Baker









EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
AK 00018	Zyprexa Implementation Guide							
	Zyprexa Primary Care Q3							
AK 00019	Implementation Guide			X (3/3)				
AK 00195	LETTER			X				
AK 00212	PROMOTIONAL MATERIALS							
AK 00229	PROMOTIONAL MATERIALS							
AK 00274	PROMOTIONAL MATERIALS							
AK 00284	PROMOTIONAL MATERIALS			X (3/3)				
AK 00320	PACKAGE INSERT			X (3/3)				
AK 00439	LETTER			3/14 ✓				
AK 00509	REPORT							
	DEAR DR/DEAR PHARMACIST							
AK 00775	LETTER							
AK 00778	LETTER							
AK 00778	LETTER							
AK 00858	REPORT							
AK 00918	E-MAIL			X				
AK 00925	REPORT							
AK 00927	REPORT							
AK 00929	MANUSCRIPT							
AK 00942	PROMOTIONAL MATERIALS							
AK 00946	REPORT			3/18 ✓				
AK 00985	REPORT							
AK 00987	REPORT							
AK 00988	REPORT			X				
AK 00990	REPORT			X				
AK 00991	PROMOTIONAL MATERIALS							
AK 00995	MEMO			X (3/3)				
AK 00998	E-MAIL							
AK 01061	REPORT							
AK 01063	PROCEDURES/POLICIES							
AK 01067	REPORT							
AK 01068	LIST							
AK 01074	LIST							
AK 01077	LIST							

EXH NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
AK 01079	TRANSCRIPT			X				
AK 01081	PRESENTATION							
AK 01110	PRESENTATION			X (3/3)				
AK 01111	PRESENTATION			X (3/3)				
AK 01145	E-MAIL			X (3/3)				
AK 01164	PRESENTATION							
AK 01169	LETTER			X (3/3) 2/16				
AK 01213	REPORT			X				
AK 01215	E-MAIL			X				
AK 01217	E-MAIL							
AK 01291	REPORT							
AK 01301	PROCEDURES/POLICIES			X				
AK 01345	TRANSCRIPT							
AK 01349	REPORT			? ✓				
AK 01419	REPORT							
AK 01440	REPORT			X				
AK 01449	E-MAIL			X				
AK 01451	E-MAIL							
AK 01452	E-MAIL			X				
AK 01453	E-MAIL			X				
AK 01456	E-MAIL							
AK 01476	E-MAIL							
AK 01480	LIST							
AK 01586	REPORT			X				
AK 01602	PRINTOUT							
AK 01603	PRINTOUT							
AK 01604	PRINTOUT							
AK 01605	TABLE			X (3/3)				
AK 01855	File							
AK 01857	File							
AK 01858	File							
AK 01892	File							
AK 01925	File							
AK 01926	File			3/14 ✓				

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
AK 01941	Zyprexa Frequent Areas of Concern			X				
AK 01960	File							
AK 01961	File			X				
AK 01962	File			X (3/3)				
AK 02001	File							
AK 02011	File							
AK 02133	Risperidone Cerebrovascular Warning in Canada			X (3/4)				
AK 02197	File							
AK 02227	Re: diabetes	✓	✓	3/25 ✓	NOTE/MOTIVE			
AK 02244	Re: Your input please !!							
AK 02368	File			3/16 ✓				
AK 02441	RE: PM Doraiswamy letter to editor of Psychiatric News - 11/1/02							
AK 02476	Re: The result of the meeting with the MHLW today							
AK 02547	File							
AK 02588	Morgan Stanley First Call Note -- Zyprexa Conference Call							
AK 03109	Re: Fwd: ADA Consensus Statement			X (3/3)				
AK 03167	2004 Medical Objectives							
AK 03184	File							
AK 03211	Re: glucose question							
AK 03223	Re: Annals of Pharmacotherapy Recent articles of interest 2004			3/19 ✓				
AK 03235	File							
AK 03238	File							
AK 03278	File			X				
AK 03388	File							
AK 03414	File							
AK 03567	File							

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
	Incidence and Rate of Treatment-							
AK 03645	Emergence			X				
AK 03680	File							
AK 03816	NEWS RELEASE DOCUMENTS							
AK 03872	PRESENTATION							
AK 03906	TRANSCRIPT							
AK 03909	E-MAIL							
AK 03916	PROCEDURES/POLICIES							
AK 03918	REPORT							
AK 03924	PRESENTATION			X (3/3)				
AK 03927	PRESENTATION							
AK 04007	TRANSCRIPT			X (3/3)				
AK 04024	E-MAIL							
AK 04046	MANUAL							
AK 04051	MINUTES			X (3/3)				
AK 04104	PROMOTIONAL MATERIALS							
AK 04119	MEMO							
AK 04121	REPORT							
AK 04122	PROMOTIONAL MATERIALS							
AK 04127	PROCEDURES/POLICIES							
AK 04130	PRESENTATION							
AK 04176	REPORT			X (3/3)				
AK 04263	REPORT							
	Zyprexa Brand Team Q1 2002							
AK 04365	(Feb/March) Priorities							
AK 04436	File			X				
AK 04509	File							
AK 04517	File			X				
AK 04532	File			? ✓				
AK 04592	Re: melkersson article							
AK 04784	File							
AK 04801	File							
AK 04805	File							
AK 04815	File							
AK 04858	File			X				

EXH. NUM TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
AK 04864 File							
AK 04871 File			3/19 ✓				
AK 04923 File							
AK 04951 File							
AK 04968 File			X (3/3)				
AK 05073 ZYPREXA Conference Call			X (3/3)				
AK 05078 File							
Re: <Priority A> MHLW Inquiry for hyperglycemic/diabetic SAE of ZYP -							
AK 05432 PLAN							
AK 05522 File			X				
AK 05565 Re: Ola and hyperglycemia etc.			X (3/3)				
AK 05796 E-MAIL							
AK 05843 REPORT							
AK 05846 PRESENTATION			X (3/3)				
AK 05850 MINUTES							
AK 05869 PRESENTATION							
AK 05913 ANNUAL REPORT (CORPORATE)			X (portions)				
AK 06009 File							
AK 06100 File			3/18 ✓				
Re: We received the evaluation report from EC today							
Re: Olanzapine and Cardiovascular risk							
AK 06128 Zyprexa January performance-->			X (3/3)				
AK 06215 Red Alert			X				
AK 06360 Off-Label Strategy Workshop							
AK 06420 Lexington meeting - Schremly LOI							
AK 06890 AGENDA			X (3/11)				
AK 06998 E-MAIL			X				
AK 06999 E-MAIL							
AK 07012 E-MAIL							
AK 07028 E-MAIL							
AK 07032 TABLE							

EXH. NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
AK 07033	TABLE							
AK 07213	LETTER	✓	✓	3/15 ✓	NOTICE			
AK 07668	File			X				
AK 07731	File			✓				
AK 07732	File							
AK 07802	File			X				
AK 07804	File							
AK 07822	File			X (3/3)				
AK 07971	PROCEDURES/POLICIES			X				
AK 07990	E-MAIL			3/19 ✓				
AK 07997	TABLE							
AK 08042	E-MAIL			X (3/11)				
AK 08141	PRESENTATION							
AK 08159	E-MAIL							
AK 08262	E-MAIL							
AK 08313	REPORT							
AK 08329	E-MAIL							
AK 08479	File			X				
AK 08494	File							
AK 08562	File							
AK 08564	File			3/18 ✓				
AK 08584	File			X (3/13)				
AK 08632	File			X				
AK 08639	Bipolar Research -- my summary by segment type							
AK 08666	Re: Potential contractors			X				
AK 08700	File							
AK 08905	Redistribution of medical workload for Zyprexa			X				
AK 08911	Rep Aggressiveness							
AK 08960	File							
AK 08997	Re: Searching data							
AK 09054	Issues Update			3/18 ✓				
AK 09070	File							
AK 09073	File							

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
AK 09078	File							
AK 09143	File							
AK 09165	Re: Top Ten List" "							
	Re: Final Dear Healthcare Professional Letter - Hyperglycemia and Diabetes. Please Read							
AK 09179	File							
AK 09201	File							
AK 09221	File							
AK 09281	2004 Medical Objectives			X (3/3)				
	Re: Hyperglycemia AJHP Response							
AK 09543	Help Needed							
AK 09578	File			3/11 ✓				
AK 09604	Tarascon Pocket Pharmacopoeia							
AK 09624	File			3/18 ✓				
AK 09722	E-MAIL							
AK 09739	File			X				
AK 09746	File							
AK 09747	File							
AK 09754	File							
AK 09807	Depressive- DTP slide							
AK 09808	File							
AK 09876	File							
	Lilly Answers That Matter- Handwritten							
AK 10000	Report from Bloomberg.com Lilly's Marketing, Promotion Being Investigated"							
AK 10001	PhRMA-Marketing and Promotion of Pharmaceuticals							
AK 10002	2005 PDR Zyprexa Label			X 3/18				
AK 10004	All About Diabetes							
	Wall Street Journal Article-Financial Ties to Industry Cloud Major Depression Study							
AK 10006	Depression Study							

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
AK 10007	Diagram Drawn by Dr. Beasley							
AK 10008	1996 Zyprexa Label			X (3/14)				
AK 10009	Review of Glucose Changes in Patients treated with Olanzapine							
AK 10010	Hyperglycemic Clamp Assessment							
AK 10011	Evaluation of Insulin Sensitivity in Healthy Volunteers Treated with Olanzapine Risperidone or Placebo March 20, 2006 Zyprexa Package							
AK 10012	Insert							
AK 10013	Handwritten document with the Heading Clinical trials							
AK 10014	CATIE Study			X				
AK 10015	Olanzapine Impact Team Medical Email String with Subject: Update on							
AK 10016	Zyprexa Dementia Program							
AK 10017	Japan Trip Summary			X				
AK 10019	Power Point Presentation- Understanding Both the Intended and Unintended Consequences of Medication Access Restrictions							
AK 10020	Power Point Presentation- Antipsychotics and Diabetes: an Evidence Based Approach							
AK 10021	Email							
AK 10022	Emails							
AK 10024	Glossary							
AK 10025	Jordan Ex. 6							
AK 10026	CD Copy							
AK 10027	CD Copy							
AK 10028	Sales Aid							
AK 10029	Promotional Materials							
AK 10030	Study							

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
AK 10031	Email							
AK 10032	Web Page							
AK 10033	Web Pages							
AK 10034	Slide Set			X				
AK 10035	Email			?				
AK 10036	Email							
AK 10037	Web Page							
AK 10038	Report							
AK 10039	Web Page							
AK 10041	Email							
AK 10042	Zyprexa Primary Care Objections/FAQ (6/2004) Hyperglycemia/Diabetes Sell Sheet							
AK 10043	Implementation							
AK 10044	Call Notes							
AK 10045	Label							
AK 10046	Planning							
AK 10047	Planning							
AK 10048	Web Page							
AK 10049	Article							
AK 10050	Article							
AK 10051	Web Page							
AK 10052	Presentation							
AK 10054	Web Page							
AK 10057	Email Chain from John Lechleiter Nonketotic Hyperglycemia Associated with Loxapine and							
AK 10058	Amoxapine: Case Report WSJ Article: Lilly's Quick Cash to Habitués of Shelters Vanishes							
AK 10059	Quickly™							
AK 10060	Pages from Orexigan's Website Email dated 2/25/03 WSJ mentions that Zyprexa is Fastest Growing Drug							
AK 10061	in Worldwide sales™							

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
AK 10063	2003 PDR Excerpt Zyprexa Scenario & Contingency Planning Session U.S. Zyprexa Brand Team- June 12, 2003			X				
AK 10065	2005 PDR Zyprexa Label							
AK 10066	6/25/03 Email Zyprexa Issues Swat Team Urgent Action Required- Priveleged and Confidential™ Emails from Lechleiter re: notes from day in field with Reps			X				
AK 10068	Anti-psychotic Therapy in Children and Adolescents Brochure			X				
AK 10070	Re-Notice of Rule 30(b)6 Videotaped deposition of Plaintiff State of Alaska							
AK 10071	Summons							
AK 10072	State of Alaska Department of Health and Social Services Press Release							
AK 10073	Lt to Rothschild from Marcum Report Showing All Fields for a Subset of Records							
AK 10074	Report Showing All Fields for a Subset of Records							
AK 10075	First Health Services Corporation							
AK 10076	Work Order							
AK 10077	Lt to Rothschild from Marcum Application for Services State of Alaska							
AK 10078	State of Alaska Pprovider Billing Manual							
AK 10079	Manual							
AK 10080	UB92 Form							
AK 10081	Request for Proposal Contractor Services							

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
AK 10082	Field Names Report							
AK 10083	Ad hoc Fields, Description from DED Report							
AK 10084	Plaintiff's Responses to Defendant's First Set of Interrogatories							
AK 10085	State of Alaska DUR Committee Letter							
AK 10086	State of Alaska DUR Committee Letter							
AK 10087	Memo enclosing Draft Presentation to Alaska BPMS							
AK 10088	Email from Ann Swink to Campana Re-Notice by Plaintiff of 30(b)6 regarding Marketing of Zyprexa in Alaska							
AK 10089	Power Point Presentation-Current Situation							
AK 10090	Sales Good Promotional Practices							
AK 10091	Comparable Rates of Diabetes and Hyperglycemia Among Psychotropics	✓		3/18 ✓				
AK 10092	Diabetes and Patients with Mental Illness	✓		3/18 ✓				
AK 10093	Letter from FDA to Lilly			X				
AK 10094	Dear Healthcare Professional Letter			X				
AK 10095	Sales Good Promotional Practices-Eli Lilly			3/18 ✓				
AK 10096	Sales Good Promotional Practices			3/19 ✓				
AK 10097	Definition of a Sales Call	✓		3/19 ✓				
AK 10098	Call Notes 2002							
AK 10099	Call Notes 2001							
AK 10100	Call Notes 2002 (Noesges 12)			X				

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
AK 10101	Re-notice of Rule 30(b)(6) deposition NYTimes Article Eli Lilly Said to Play							
AK 10103	Down Risk of Top Pill™ Regulatory Response to NYTimes							
AK 10104	Article Part 2			X				
AK 10105	Chronological Timeline of Regulatory Submission Events related to Weight Gain and Hyperglycemia Regulatory Response to NYTimes							
AK 10106	Article Regulatory Response to NYTimes							
AK 10107	Article Part 3 Letter from FDA to Lilly dated							
AK 10108	8/28/2007 FDA Briefing Document revised			X				
AK 10109	9/12/2007 Minutes from 9/17/2007 meeting with			X				
AK 10110	FDA			X				
AK 10111	Note to the Reviewers							
AK 10113	Wojcieszek Deposition Exhibit 13							
AK 10114	Letter from Scott to Sanders enclosing Lilly's Objections to 30(b)6 Letter to the Editor of Diabetes Care							
AK 10115	Article							
AK 10116	Email State Government Affairs 90 Day							
AK 10117	Plan							
AK 10118	Current Situation Email from John Quirk, Director							
AK 10119	State Government Affairs on handling Hyperglycemia Issue							

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhil Clerk
AK 10120	Alaska State Action Team Meeting Minutes							
AK 10121	Alaska State Action Team Meeting Minutes							
AK 10122	Email from Eski attaching Physicians' Letters to Legislators							
AK 10123	Hattori Public Affairs Liaison Monthly Report March 20-April 19, 2004							
AK 10124	Hattori Public Affairs Liaison Monthly Report Nov 20,2003-December 19, 2003							
AK 10125	Allison Expert Witness Report and CV							
AK 10126	Brancati CV							
AK 10127	Brancati Expert Witness Repot							
AK 10128	A Retrospective Cohort Study of Diabetes Mellitus and Antipsychotic Treatment in the United States							
AK 10129	Olanzapine Induces Insulin Resistance: Results from a Prospective Study							
AK 10130	Differential Effects of Risperidone, Olanzapine, Clozapine, and Conventional Antipsychotics on Type 2 Diabetes							
AK 10131	Guerguian Expert Report Olanzapine Associated Diabetes Mellitus							
AK 10132	Effectiveness of Antipsychotic Drugs in Patients with Chronic Schizophrenia							
AK 10133	Schizophrenia							

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
AK 10134	A Retrospective Comparison of Weight, Lipid and Glucose Changes Between Risperidone and Olanzapine-Treated Inpatients: metabolic Outcomes after 1 year							
AK 10135	Abnormalities in Glucose Regulation During Antipsychotic Treatment of Schizophrenia							
AK 10136	Decliner- Loyalist Project							
AK 10137	Association of Diabetes Mellitus with Use of Atypical Nueroleptics in the Treatment of Schizophrenia							
AK 10138	Wirshing Expert Report and CV							
AK 10139	Assessment of Independent Effect of Olanzapine and Resperidone on Risk of Diabetes Among Patients with Schizophrenia							
AK 10140	The Effects of Novel Antipsychotics on Glucose and Lipid Levels			X (3/14)				
AK 10141	Novel Antipsychotics and New Onset Diabetes			X (3/14)				
AK 10142	Novel Antipsychotics: Comparison of Weight Gain Liabilities			X (3/14)				
AK 10144	Call Notes (Eski 8)			X (Portion)				
AK 10145	Editorial-Conflict of interest							
AK 10146	Conflict of interest, Round 2							
AK 10147	Practical Treatment Information for Schizophrenia			X				
AK 10148	Who Pays for the Pizza?							
AK 10149	Who Pays for the Pizza, Part 2							
AK 10150	Hyperglycemia Associated with the Use of Atypical Antipsychotics							

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhil Clerk
AK 10151	Olanzapine-induced Destabilization of Diabetes in the Absence of Weight Gain							
AK 10152	Email from Ann Swink to Hopson, et al							
AK 10153	Letter from FDA to Lilly							
AK 10154	FDA Briefing Document							
AK 10155	Free Lunch Editorial							
AK 10156	PDR 2001 Excerpt			X				
AK 10157	PDR 2001 Excerpt			X				
AK 10158	May 10, 2007 letter to Lilly from FDA			X				
AK 10159								
AK 10165	2004 PDR			X				
AK 10166	2003 PDR			X				
AK 10167	2005 PDR			X				
AK 10168	2008 PDR			X				
AK 10177	Antipsychotic Drugs Raise Obesity, Diabetes, etc.			X				
EL-2000	Assessment of independent effect of olanzapine and risperidone on risk of diabetes among patients with schizophrenia: population based nested case-control study.							
EL-2001	Consensus development conference on antipsychotic drugs and obesity and diabetes: Response to consensus statement.							
EL-2002	Inzucchi C.V.							
EL-2003	Olfson C.V.							
EL-2004	Olfson Expert Report							
EL-2005	Inzucchi Expert Report							

04-056-3097

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Ex Cle
EL-2006	Olanzapine use in a patient with schizophrenia and the risk of diabetes. (Folnegovic-Smaic Case Report 2003)							
EL-2007	Schwenk - Expert Report Disclosure - 3-20-2007							
EL-2008	Schwenk CV 12 20 06							
EL-2009	Kahn - Background - CV - 1 28 08							
EL-2010	Kahn- Expert Report Disclosure - 3 20 07							
EL-2011	FDA Website Title 21 of Code of Federal Regulations - Labeling (Exh #16)							
EL-2012	10/04/2004 Submission to FDA							
EL-2013	Diabetes mellitus and antipsychotic treatment in the United Kingdom.	361 ✓						
EL-2014	Citrome L, Volavka J. Consensus development conference on antipsychotic drugs and obesity and diabetes: response to consensus statement. J Clin Psychiatry. 2005 Aug;66(8):1073-4.							
EL-2015	Kane JM, Barrett EJ, Casey DE, Correll CU, Gelenberg AJ, Klein S, Newcomer JW. Metabolic effects of treatment with atypical antipsychotics. J Clin Psychiatry. 2004 Nov;65(11):1447-55.							

06-256-2007

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhi Clerk
	Diabetes Risk Associated With Use of Olanzapine, Quetiapine, and Risperidone in Veterans Health Administration Patients With Schizophrenia, Am J Epidemiology 164(7): 672-81	3/21 ✓						
EL-2016	164(7): 672-81							
EL-2017	PCP Sales Aid OL-26467							
EL-2018	May 2001 Sell Sheet [OL-20741]							
EL-2019	1999 Refreshed Core Detail Aid [OL-14691]							
EL-2020	2000 Acute Comparative Data Sales Aid [OL-17481]							
EL-2021	2000 Comparative Safety Data Sales Aid [OL-17197]							
EL-2022	Diabetes Message - 2003							
EL-2023	Diabetes mellitus and antipsychotic treatment in the United Kingdom. Zyprexa Presentation Overview							
EL-2024	GPLC May 15, 2002 (CB13008)							
EL-2025	Near fatal ketoacidosis with olanzapine treatment. (Straker Case Report July 2000)							
EL-2026	Correction to Retrospective analysis of risk factors in patients with treatment-emergent diabetes during clinical trials of antipsychotic medications.							
EL-2027	Consensus development conference on antipsychotic drugs and obesity and diabetes.							
EL-2028	Antipsychotic induced diabetes in veteran schizophrenic patients.							
EL-2029	Antipsychotic induced diabetes in veteran schizophrenic patients.							

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
EL-2030	Minutes from 9/17/2007 FDA meeting							
EL-2031	10/04/2007 CBE Submission Letter							
EL-2032	NDA Submission of FDA Briefing Document (for meeting scheduled for OCT 17, 2002"	3/21 ✓						
EL-2033	NDA 20-592 Submission of Glucose Document (MAR 03)	3/21 ✓						
EL-2034	FDA Letter Requesting Class Labeling Change for Hyperglycemia / Diabetes							
EL-2035	Submission of an sNDA to NDA 21-520 for Symbyax for Treatment Resistant Depression							
EL-2036	NDA 20-592 Submission of Glucose Document (JUN 03)	3/21 ✓						
EL-2037	Lilly Note to File - FDA Teleconference with Lilly	3/21 ✓						
EL-2038	NDA 20-592 Submission of Glucose Document (May 21, 2001)"							
EL-2039	FDA Approvable Letter to CBE NDA 20-592/S024							
EL-2040	NDA Submission of US Dear Doctor Letter regarding the hyperglycemia /diabetes class label change.							
EL-2041	NDA Submission of Glucose Document (FEB06)	3/21 ✓						
EL-2042	Lilly Note to File - Discussion with FDA regarding content of Dear Doctor Letter							
EL-2043	NDA Submission of Glucose Document (7/31/00)	3/21 ✓						

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
EL-2044	Lilly Note to File for NDA 20-592 - Japan Labeling Change materials to FDA	3/21 ✓						
EL-2045	FDA "Approvable Letter" for Symbyax™							
EL-2046	Lilly draft labeling submission including Lilly minutes from 9/17/07 FDA meeting and summary of comparator data							
EL-2047	FDA minutes of 5/24/07 meeting (response to Symbyax approvable letter)							
EL-2048	12/3/07 Production							
EL-2049	12/3/07 Production							
EL-2050	Note to Reviewers re FDA's communication dated 8/28/07 re labeling language for Hyperglycemia warning and weight gain and hyperlipidemia							
EL-2051	10/4/07, Application to Market a New Drug, Biologic, or an Antibiotic Drug - Zyprexa Zydys							
EL-2052	10/4/07, Application to Market a New Drug, Biologic, or an Antibiotic Drug - Zyprexa							
EL-2053	Supplement Main Table of Contents Supplemental NDA 20-592, Zyprexa (Olanzapine) changes Being Effected							
EL-2054	Labeling Supplement - Table of Contents							

Doc 2563007

EXH	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
EL-2106	Article: Schurman RA, Kramer PD, Mitchell JB. The Hidden Mental Health Network: Treatment of Mental Illness by Nonpsychiatrist Physicians. Arch Gen Psychiatry, January 1985							
EL-2107	Article: Barrett JE, Barrett JA, Oxman TE, Gerber PD. The Prevalence of Psychiatric Disorders in a Primary Care Practice. Arch Gen Psychiatry, December 1988							
EL-2108	Article: Regier DA, Narrow WE, Rae DS, Manderscheid RW, Locke BZ, Goodwin FK. The de Facto US Mental and Addictive Disorders Service System: Epidemiologic Catchment Area Prospective 1-Year Prevalence Rates of Disorders and Services. Arch Gen Psychiatry, February 1993							
EL-2109	Clinical Review Section			X				
EL-2110	Executive Summary by James Cleeman, MD (reprinted from JAMA) titled: Executive Summary of the Third Report of the National Cholesterol Education Program (NCEP) Expert Panel on Detection, Evaluation, and Treatment of High Blood [Cholesterol in Adults (Adult Treatment Panel III)							

06-25-2007

EXH NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
EL-2111	FDA Website: Reviewer Guidance: Conducting a Clinical Safety Review of New Product Application - 7.1.5.3 Incidence of Common Adverse Events - Assessment of Various Databases							
EL-2112	Letter from Katherine Bennett, Pharm.D, Division of Drug Risk Evaluation re: Two-year Post-Marketing Review of Olanzapine			X				
EL-2113	04/19/04 Letter from FDA re: Risperdal 11/10/03 Dear Healthcare Provider (HCP) Letter (letter attached)			X				
EL-2114	Article by MARGARET A SOWELL, NITAI MUKBOPADHYAY, PATRIZIA CAVAZZONI, CHRISTOPHER CARLSON, SUNDER MUDALIAR, SIPHIPHOL CHINNAPONGSE, AMY RAY, TRENT DAVIS, ALAN BREJER, ROBERT HENRY AND JAMIE DANANBERG titled: "COMMENT - Evaluation of insulin sensitivity in healthy volunteers treated with olanzapine, risperidone, or placebo: a prospective, randomize', study using the two-step hyperinsulinemic, euglycemic clamp"							

06-05630 CT

EXH. NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
EL-2115	Letter, From: Michele Sharp, Supplement -Changes Being Affected, Response to September FDA letter re: hyperglycemia and diabetes class label change							
EL-2116	Letter, From: Russel Katz, FDA approvable letter of supplemental NDA including hyperglycemia and diabetes class label change with revised labeling showing mark ups							
EL-2117	Letter, From: Russel Katz, FDA approvable letter of supplemental NDA including hyperglycemia and diabetes class label change with revised labeling showing mark ups							
EL-2118	Letter, From: Michele Sharp, To: Dr. Katz, Submission to FDA for Review and Comment re: Proposed Dear Health Care Professional (HCP) Letter regarding the 2003 class label change							
EL-2119	Review and Evaluation of Clinical Data re: Antipsychotics association with DM			X				
EL-2120	Review and Evaluation of Clinical Data Completed by Gerard Boehm re: Zyprexa and other Antipsychotics association with DM - Relying on two epidemiological studies, re-analysis of blood glucose data			X				
EL-2121	Review and Evaluation of Clinical Data Completed by Gerard Boehm re: Zyprexa association with DM			X				

06-05630CT

ADMITTED DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE NO. 3AN-06

EXH. NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
EL-2127	Letter: Re: NDA 20-592-Zyprexa (olanzapine) - Response to FDA 5/1/00 Request re hyperglycemia	✓						
EL-2128	Report: "Update to Olanzapine and Glucose Homeostasis" (Prepared for the FDA)							
EL-2129	Letter to FDA: Briefing Document on Olanzapine and Glucose Homeostm is for meeting with FDA on October 17, 2002							
EL-2130	Review and Evaluation of Clinical Data re: Antipsychotics association with DM			X				
EL-2131	Review of Clinical Data by Gerard Boehm re: Lilly re-analysis of data pertaining to blood glucose			X				
EL-2132	Review of Clinical Data by Gerard Boehm re: review of spontaneous reports glucose dysregulation			X				
EL-2133	INDA Review re: Published studies of the relationship between atypical antipsychotics and diabetes/hyperglycemia			X				
EL-2134	LTR from Gregory Brophy to FDA re: submission of revised ZY labeling							
EL-2135	Letter: Re: NDA 20-592 -Zyprexa Effectiveness of antipsychotic drugs in patients with chronic schizophrenia. -Addressing the limitations of the CATIE study.	2131 ✓						
EL-2136	Campana - Deposition Exhibit 1 - 9.18.2007 (Alaska)							
EL-2137	Campana - Deposition Exhibit 10 - 9.18.2007 (Alaska)							

3/18/2008

06-056-2007

ADMINISTRATIVE DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE NO. 3AN-06-00006

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
EL-2156	Wojcieszek - Deposition Exhibit 4 - 12.11.2007 (Alaska)							
EL-2157	Wojcieszek - Deposition Exhibit 2, Def - 12.11.2007 (Alaska)							
EL-2158	Wojcieszek - Deposition Exhibit 8 - 12.11.2007 (Alaska)							
EL-2159	Wojcieszek - Deposition Exhibit 9 - 12.11.2007 (Alaska)							
EL-2160	Campana - Deposition Exhibit 8 - 9.18.2007 (Alaska)							
EL-2161	Wojcieszek - Deposition Exhibit 10 - 12.11.2007 (Alaska)							
EL-2162	Wojcieszek - Deposition Exhibit 12 - 12.11.2007 (Alaska)							
EL-2163	Wojcieszek - Deposition Exhibit 6 - 12.11.2007 (Alaska)							
EL-2164	Wojcieszek - Deposition Exhibit 3 - 12.11.2007 (Alaska)							
EL-2165	Wojcieszek - Deposition Exhibit 7 - 12.11.2007 (Alaska)							
EL-2166	Beasley - Deposition Exhibit 6128 - 07.26.06.pdf							
EL-2167	BEASLEY Deposition Exhibit 5 (07/21/2006).pdf							
EL-2168	Feigal CV.pdf							
EL-2169	BEASLEY Deposition Exhibit 7 (07/21/2006).pdf	✓	✓	3/21 ✓				
EL-2170	BEASLEY Deposition Exhibit 8 (07/21/2006).pdf							
EL-2171	BEASLEY Deposition Exhibit 9 (07/21/2006).pdf							
EL-2172	BEASLEY Deposition Exhibit 10 (07/21/2006).pdf							
EL-2173	BEASLEY Deposition Exhibit 13 (07/21/2006).pdf							

3/18/2008

06-05630CT

ADM. D DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE NO. 3AN-08

EXH NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhi Clerk
EL-2174	BEASLEY Deposition Exhibit 6 (07/21/2006).pdf							
EL-2175	BEASLEY Deposition Exhibit 11 (07/21/2006).pdf	✓	✓	3/21 ✓				
EL-2176	BEASLEY Deposition Exhibit 12 (07/21/2006).pdf	✓	✓	3/21 ✓				
EL-2177	Baker - Deposition Exhibit 7802 - 7.28.06.pdf							
EL-2178	Baker - Deposition Exhibit 8666 - 7.28.06.pdf							
EL-2179	Baker - Deposition Exhibit 5565 - 7.28.06.pdf							
EL-2180	12/14/00 Meeting Slides (Plaintiffs MDL Exhibit 5849)							
EL-2181	Lilly Memo Re: Zyprexa US and Global Marketing Diabetes Update							
EL-2182	Dear HCP <sup>®</sup> letter <sup>®</sup>							
EL-2183	Updated Zyprexa labeling Diabetes Education Program							
EL-2184	Materials			Y				
EL-2185	PERSISTENT TARDIVE DYSKINESIA AND NEUROLEPTIC EFFECTS ON GLUCOSE TOLERANCE [PSYCHIATRY RES 29 17-27 OLANZAPINE HCL ZYPREXA RESPONSE TO FDA REQUEST VOL 3 OF 3 170053 20-592 3 BINDER 1117-1643]							
EL-2186	[REPORT FOR PATIENT NUMBER 005-1211 OLANZAPINE STUDY F1D-MC-HGAD ABBREVIATED PATIENT SUMMARY VOLUME 1 226 NDA NUMBER 20-592]							

3/18/2008

06-05630CI

ADMINISTRATIVE DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE NO. 3AN-06

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exh Cleri
EL-2581	[POSTMARKETING SURVEILLANCE DATA FDA ADVERSE EVENT REPORTING SYSTEM NEW DRUG APPLICATIONS MAY 01 2000 TAB RANGE 2-4 OLANZAPINE HCL ZYPREXA 01 -MAR-2000 VOL 24 170053 NDA 20-592 [ILLEGIBLE]]	8/21/08 ✓						
EL-2582	ZYPREXA OLANZAPINE TABLETS ZYPREXA ZYDIS OLANZAPINE ORALLY DISINTEGRATING TABLETS [ATTACHMENT IV TAB RANGE 56-62 OLANZAPINE HCL ZYPREXA 01-MAR-2000 VOL 24 170053 NDA 20-592 BINDER RANGE 1-17 1]							
EL-2583	[NDA 20-592 ZYFREXA OLANZAPINE SUBMITTING REVISED PACKAGE LABELING FOR THE REFERENCED PRODUCT MAY 092000 TAB RANGE 35-49 OLANZAPINE HCL ZYPREXA 01 -MAR.-2000 VOL 24 170053 NDA 20-592 BINDER RANGE 1-17 1]							
EL-2584	[NDA 20-592 SLR-012 OCT II 2000 TAB RANGE 55-58 OLANZAPINE [HCL_ZYPREXA VOL 27 170053 20-592-27 BINDER 1-259]							

3/18/2008

12

06-05630CI

ADMITTED DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE NO. 3AN-06

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exh Cleri
EL-2585	10/27/2000 Label---ZYPREXA OLANZAPINE TABLETS [ZYPREXA ZYDIS OLANZAPINE ORALLY DISINTEGRATING TABLETS PV3393 AMP]	3/21 ✓						
EL-2586	APPENDIX C LIST OF PUBLISHED CASE REPORTS OF GLUCOSE DYSREGULATION DURING TREATMENT WITH ATYPICAL ANTIPSYCHOTICS MAY 2000 THROUGH SEPTEMBER 2002 [OLANZAPINE LY170053 BRIEFING DOCUMENT ON OLANZAPINL AND GLUCOSE HOMEOSTASIS NDA 20592]							
EL-2587	[ITEM TAB FOR ATTACHMENT I TAB RANGE 343-494]							
EL-2588	METHODS [OLANZAPINE LY170053 GLUCOSE 4 UPDATE]							
EL-2589	ANALYSIS OF SPONTANEOUS ADVERSE EVENT REPORTS POTENTIALLY SUGGESTIVE OF GLUCOSE DYSREGULATION IN LILLY CLINTRACE DATABASE [OLANZAPINE LY 170053 GLUCOSE UPDATE]							
EL-2590	[LILLY ANALYSIS OF FDA MEDWATCH DATABASE [OLANZAPINE LY170053 GLUCOSE 4 UPDATE]							
EL-2591	[OVERALL CONCLUSIONS [OLANZAPINE LY170053 GLUCOSE 4 UPDATE]							

3/18/2008

06-05630CI

ADM. D DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE NO. 3AN-08-64

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibi Clerk
EL-2627	29 HYPERGLYCEMIA NOS [OLANZAPINE LY170053 GLUCOSE 4 UPDATE]							
EL-2628	30 BLOOD GLUCOSE INCREASED [OLANZAPINE LY170053 GLUCOSE 4 UPDATE]							
EL-2629	ANALYSIS OF JAPANESE DATA ON HYPERGLYCEMIC AND DIABETIC SPONTANEOUS SERIOUS ADVERSE EVENTS ASSOCIATED WITH THE USE OF [ILLEGIBLE]	3/21 ✓						
EL-2630	[US 020382774 MG PRESCRIBED OVERDOSE DIABETIC HYPERGLYCEMIC COMA DISSEMINATED INTRAVASCULAR COAGULATION WEIGHT INCREASED VEGETATIVE STATE CHRONIC DR [ILLEGIBLE]]							
EL-2631	[MFR REPORT NUMBER US 010872482 PT NO EF REPORTER DR SHIGERU NIIKUNI JP AE HYPERGLYCAEMIA NOS HYPERLIPIDAEMIA NOS]							

3/18/2008

11

06-05630CJ

ADMINISTRATIVE DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE NO. 3AN-06

EXH	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exh Clerk
EL-2641	[MFR REPORT NUMBER US 020382582 PT NO MH REPORTER DR IMASAKI NAKATA OSAKA JP AE DIABETES MELLITUS INADEQUATE CONTROL ??-JAN-2002 TO [ILLEGIBLE]]							
EL-2642	[MFR REPORT NUMBER US 010770537 PT NO YU REPORTER DR IHAJIME HATA KYOTO JP AE DIABETIC KETOACIDOSIS 20-JUL-2001 TO [ILLEGIBLE]]							
EL-2643	EMFR REPORT NUMBER US 02038076 REPORTER DR TAKASHI J-BARA HYOGO JP AE DIABETIC KETOACIDOSIS]							
EL-2644	Analysis of Japanese Data on Hyperglycemic and Diabetic Spontaneous Serious Adverse Events Associated with the Use of Zyprexa							
EL-2645	GLUCOSE DYSREGULATION ADVERSE EVENT REPORTS SPONTANEOUS AND COMMERCIALY MARKETED OLANZAPINE IN JAPAN	3/21 ✓						

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date
EL-2729	[OLANSEK/ZYPREXA-ADDITIONAL DATA REQUESTED FOLLOWING EVALUATION OF THE FIFTH PERIODIC SAFETY UPDATE REPORT OLANZAPINE HCL ZYPREXA RESPONSE TO FDA REQUEST VOL 2 OF 3 170053 20-592 2 BINDER RANGE 598-1116]				
EL-2730	Periodic Adverse Drug Experience Report: Pregancy/Breast-feeding Summary				
EL-2731	Paul Andreason Review and Evaluation of clinical data recommending approval of Zyprexa for schizophrenia			X	
EL-2732	Gerard Boehm's review of Dr. Mosholder's 06/25/03 Literature Review on the relationship between atypicals and glucose abnormalities			X	
EL-2733	8 H REPORT INTEGRATED SUMMARY OF SAFETY CONTINUED [NDA NUMBER 20-592 VOLUME1 219]				
EL-2734	NDA Supplement (CBE), submission of revised package labeling sent to FDA by Gregory Brophy				
EL-2735	Note to File, Confidential Communications with FDA, meeting minutes of telephone call with Dr. Katz in advance of 10/17/02 meeting				

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To
EL-2736	Olanzapine PSUR for time period 10/01/03-03/31/04							
EL-2737	Memo, From: Andrew Mosholder, To: Russel Katz, Subject: Consult- Literature reivev concerning the issue of diabetes mellitus/hyperglycemia associated with the atypical antipsychotic drugs			X				
EL-2738	APPENDIX A RESPONSIBILITIES OF CONTENT EXPERTS BY AREA RQS002-PRD-053-V1.1							
EL-2739	PROCEDURE FOR MANAGING WORLDWIDE [LITERATURE CASE REPORTS							
EL-2740	RQS002-PRD-061-V1.0 PROCEDURE FOR INITIAL QUALITY REVIEW							
EL-2741	RQS002-PRD-063-V1.1 PROCEDURE FOR DEFINING DECHALLENGE AND RECHALLENGE							
EL-2742	RQS002-PRD-064-V1.1 PROCEDURE FOR PREPARING AND RESPONDING TO WORLDWIDE REGULATORY INQUIRIES							
EL-2743	RQS002-PRD-065-V1.0 ABNORMAL LABORATORY AND DIAGNOSTIC TESTS PROCEDURE							

06-05630CI

ADMINISTRATIVE DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE NO. 3AN-06-0000

EXH	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To E
EL-2923	IND Annual Report 1999							
EL-2924	IND Annual Report 2000							
EL-2925	IND Annual Report 2001							
EL-2926	IND Annual Report 2003							
EL-2927	IND Annual Report 2002							
EL-2928	Zyprexa Label In Effect on 03/20/2006							
EL-2929	Zyprexa Label In Effect on 11/30/2006							
EL-2930	Zyprexa Label In Effect on 04/14/2005							
EL-2931	Zyprexa Label In Effect on 09/15/2005							
EL-2932	Zyprexa Label In Effect on 09/30/2005							
EL-2933	Zyprexa Label In Effect on 11/19/1998							
EL-2934	Zyprexa Label In Effect on 06/29/1999							
EL-2935	Zyprexa Label In Effect on 03/17/2000							
EL-2936	Zyprexa Label In Effect on 04/00/2000							
EL-2937	Zyprexa Label In Effect on 04/12/2000	3/21 ✓						
EL-2938	Zyprexa Label In Effect on 02/16/2001							
EL-2939	Zyprexa Label In Effect on 11/02/2001							
EL-2940	Zyprexa Label In Effect on 03/05/2002							
EL-2941	Zyprexa Label In Effect on 05/13/2002							
EL-2942	Zyprexa Label In Effect on 01/24/2003							

3/18/2008

174

06-05630 CI

ADMINISTRATIVE DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE NO. 3AN-08

EXH. NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
EL-2943	Zyprexa Label In Effect on 07/10/2003							
EL-2944	Zyprexa Label In Effect on 07/18/2003							
EL-2945	Zyprexa Label In Effect on 01/14/2004	3   21 ✓						
EL-2946	Zyprexa Label In Effect on 03/29/2004							
EL-2947	Zyprexa Label In Effect on 03/31/2004							
EL-2948	Zyprexa Label In Effect on 05/13/2004							
EL-2949	Zyprexa Label In Effect on 08/04/2004							
EL-2950	Zyprexa Label In Effect on 09/22/2004							
EL-2951	Zyprexa Label In Effect on 09/30/1998							
EL-2952	Zyprexa Label In Effect on 10/27/2000							
EL-2953	Zyprexa Label In Effect on 09/16/2003	3   21 ✓						
EL-2954	Zyprexa Label In Effect on 10/02/1996	3   21 ✓						
EL-2955	Zyprexa Label In Effect on 08/03/2000							
EL-2956	Zyprexa Label In Effect on 05/01/1997							
EL-2957	Zyprexa Label In Effect on 08/11/1997							
EL-2958	Zyprexa Label In Effect on 10/01/2007	3   21 ✓						
EL-2959	Updated 09/16/03 Zyprexa Label from US Field KM							

3/18/2008

06-05630CI

ADMITTED DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE NO. 3AN-06

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
EL-2968	Playback Report for Label Change Audioconference - September 19 through October 3 playback							
EL-2969	E-mail re: Zyprexa.com Update with new label including hyperglycemia and diabetes class warning							
EL-2970	Press Release: Greater Attention Needed for the Physical Needs of Mental Health Patients at Risk for Weight Gain and Obesity-Related Complications: Physicians and Mental Health Experts Endorse Complete Wellness Approach Breier DVD Script - Medical Perspective on Atypical							
EL-2971	Antipsychotics and Diabetes							
EL-2972	Mauricio Tohen Direct Mail Piece	3/18	✓					
EL-2973	Hyperglycemia and Diabetes Label Change Medical Letter from US Field KM							
EL-2974	Lilly Document referenced in State's Interrogatory No. 14: Primary Care Sales Force Resource Guide							
EL-2975	Lilly Document referenced in State's Interrogatory No. 14: Hyperglycemia/Diabetes Data on Demand Resource Guide							
EL-2976	Lilly document referenced in state's interrogatory No. 14: PCP Discussion Guide							

3/18/2008

177

06-05630CI

ADMIN CD DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE NO. 3AN-06-0

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
EL-2977	Lilly document referenced in state's interrogatory No. 14: Hyperglycemia/Diabetes: Sell Sheet Implementation							
EL-2978	Lilly document referenced in state's interrogatory No. 14: Zyprexa Frequent Areas of Concern" or "FAOC"							
EL-2979	Lilly document referenced in state's interrogatory No. 14: 4 Most Common AOC Verbatim							
EL-2980	Zyprexa Retail Implementation Guide							
EL-2981	Diabetes Message 03							
EL-2982	Alan Breier Healthcare Professional Letter re: increased risk of diabetes in patients treated with Zyprexa or other atypical antipsychotics							
EL-2983	Zyprexa Internal Use - Cardiac Safety: Focus On QTC Prolongation							
EL-2984	Zyprexa Internal Use - Effect on Cognition in Schizophrenia							
EL-2985	Zyprexa -- Positive Symptom Efficacy							
EL-2986	Executive Summary~Zyprexa -- Blood Glucose Changes							
EL-2987	Zyprexa -- Blood Glucose Changes			✓				
EL-2988	Zyprexa -- Blood Glucose Changes			✓				
EL-2989	Zyprexa -- Hyperglycemia							
EL-2990	Summary~Zyprexa -- Weight Reduction and Management			X				

3/18/2008

178

06-05630 CI

ADMITTED DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE NO. 3AN-06-6

EXH	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
EL-2991	Zyprexa -- Body Weight Changes			✓				
EL-2992	Zyprexa -- Body Weight Changes			✓				
EL-2993	Zyprexa -- Body Weight Changes			✓				
EL-2994	Summary-Zyprexa -- Blood Glucose Zyprexa - Acute Complications or Presentations of Diabetes Mellitus - Diabetic Ketoacidosis and Hyperglycemic Hyperosmolar Non- Ketotic Syndrom			✓				
EL-2995	Zyprexa-- Effect of Long-Term Treatment on Weight Change and Association With Changes in Glucose, Cholesterol, and Diastolic Blood Pressure			✓				
EL-2996	Zyprexa -- Efficacy in Acute Mania							
EL-2997	Zyprexa -- Comparison Of Efficacy in Psychotic Versus Non-Psychotic Bipolar I Patients							
EL-2998	Zyprexa -- Overall Efficacy							
EL-2999	Zyprexa Internal Use -- Effect on Cognition in Schizophrenia							
EL-3000	Executive Summary-Zyprexa Internal Use -- Cardiac Safety: Focus on QTc Prolongation							
EL-3001	Zyprexa -- Effects on Depressive Symptoms in Bipolar Mania							
EL-3002	Summary-Zyprexa -- Body Weight Changes			✓				
EL-3003	Executive Summary-Zyprexa -- Weight Reduction and Management			✓				
EL-3004	Zyprexa -- Positive Symptom Efficacy							
EL-3005								

3/18/2008

06-05630CI

ADMITTED DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE NO. 3AN-06-0

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
EL-3006	Zyprexa -- Efficacy for Negative Symptoms							
EL-3007	Zyprexa -- Effect on Depressive Signs and Symptoms							
EL-3008	Summary-Zyprexa -- Body Weight Changes			8				
EL-3009	Zyprexa -- Effect on Cardiovascular Function							
EL-3010	Zyprexa -- Long Term Efficacy							
EL-3011	Zyprexa -- Effects on Depressive Symptoms in Bipolar Mania							
EL-3012	Summary-Zyprexa -- Changes in Serum Lipids							
EL-3013	Zyprexa -- Atypical antipsychotics-hyperglycemia and diabetes mellitus label change							
EL-3014	Executive Summary-Zyprexa -- Blood Glucose Changes			✓				
EL-3015	US Medical Letter-Natural History, Diagnosis, and Management of Diabetes			✓				
EL-3016	Zyprexa -- Effect on Cognition in Schizophrenia							
EL-3017	NDA Annual Report 1998							
EL-3018	NDA Annual Report 1999							
EL-3019	NDA Annual Report 2000							
EL-3020	NDA Annual Report 2001							
EL-3021	NDA Annual Report 2002							
EL-3022	NDA Annual Report 2003							
EL-3023	PADER Submitted 1-29-97 - Quarterly Review Period: September 30, 1996 through December 30, 1996							
EL-3024	PADER Submitted 7-31-97							
EL-3025	PADER Submitted 10-29-97							

3/18/2008

06-05630 CI

ADMITTED DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE NO. 3AN-06

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
EL-3059	5-25-07, Plaintiff's Reply to Defendant's Response to Plaintiff's Motion Concerning Claims and Proofs							
EL-3060	10-31-07, Memo in Support of Bifurcation							
EL-3061	11-9-07, Opposition in Response to Plaintiff's Memo in Support of Bifurcation							
EL-3062	1-8-08, Plaintiff's Opposition to Defendant's Motion for Summary Judgment							
EL-3063	12-10-07, Defendant's Motion for Summary Judgment and Memo in Support							
EL-3064	1-17-08, Lilly's Reply to Plaintiff's Opposition to Defendant's Motion for Summary Judgment with Exhibits							
EL-3065	Zyprexa Direct Mail FDA Diabetes Class Label Response Letter							
EL-3066	Communication between Michele Sharp and FDA re: Hyperglycemia Label Change							
EL-3067	E-mail Between Michele Sharp and FDA re: Lilly's request review of Dear Healthcare Professional Letter - Hyperglycemia and Diabetes							
EL-3068	Gerard Boehm, FDA review of Clinical Data regarding atypical antipsychotics and diabetes/hyperglycemia			X				

3/18/2008

06-05630 CI

ADMITTED DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE NO. 3AN-06-448

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
EL-3098	Dr. Alan Breier's Letter to the editor of The Wall Street Journal re: Evidence Backs Efficacy and Safety of Zyprexa							
EL-3099	IMPORTANT SAFETY INFORMATION FOR ZYPREXA CONTINUED - HYPERGLYCEMIA AND DIABETES MELLITUS							
EL-3100	Zyprexa Core Folder II [OL12246]							
EL-3101	Zyprexa Core Folder II - Finished Binder Prev. submitted [OL12246]							
EL-3102	Acute Patient Folder [OL12245]							
EL-3103	File Card Core Folder APR99 [OL14684] and Patient Education Brochure							
EL-3104	Weight Change Brochure [OL16649]							
EL-3105	Weight Change Brochure (corrected version) [OL16649]							
EL-3106	Schizophrenia Patient Profiles [OL17009]							
EL-3107	Retail Bipolar Core Detail Aid [OL16879]							
EL-3108	Zyprexa Bipolar Retail Patient Profile Lisa [OL17200]							
EL-3109	Combo-Comparative Safety Sales Aid Retail [OL17197]							
EL-3110	Acute Comparative Sales Aid [OL17481]							
EL-3111	Patient Profile Tri-Fold [OL18673]							
EL-3112	Weight Gain Algorithm [OL18830]							
EL-3113	Weight Gain Counseling Card [OL19242]							
EL-3114	Weight Assessment Tool - Tear Pad [OL19241]							

3/18/2008

6

06-05630 CI

ADMINISTRATIVE DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE NO. 3AN-08-0663 C

EXH. NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
EL-3374	Solutions for Wellness lifestyles for a healthy mind & body							
	Solutions For Wellness Program							
EL-3375	Flow							
EL-3376	Solutions for wellness							
	SOLUTIONS FOR WELLNESS GROUP PROGRAM							
EL-3377								
EL-3378	[SOLUTIONS FOR WELLNESS]							
	[SOLUTIONS FOR WELLNESS NUTRITION INFORMATION]							
EL-3379								
	[SOLUTIONS FOR WELLNESS LIFESTYLE MANAGEMENT PLAN AND UPDATES]							
EL-3380								
	[SOLUTIONS FOR WELLNESS NEWSLETTERS]							
EL-3381								
	[SOLUTIONS FOR WELLNESS EXERCISE PLAN]							
EL-3382								
	[PERSONALIZED PROGRAM SOLUTIONS FOR WELLNESS]							
EL-3383								
EL-3384	SOLUTIONS FOR WELLNESS							
	A retrospective cohort of diabetes mellitus and antipsychotic treatment in the United States	Sh						
EL-3385		✓						
	Primary Care Sales Aid Implementation Guide							
EL-3386	September/October 2002							
	Hyperglycemia/Diabetes Data On Demand Resource Guide September							
EL-3387	2001			X				
	Zyprexa Primary Care Resource Guide March 2002							
EL-3388								
	Hyperglycemia/Diabetes Data on Demand Resource Guide							
EL-3389	Zyprexa (Olanzapine) Primary Care							
EL-3390	Q3 Implementation Guide							

3/18/2008

06-05630 CI

ADMINISTERED DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE NO. 3AN-06-0663

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
EL-3391	Donna Patient Profile							
EL-3392	LTC Sales Aid OL27886							
EL-3393	LTC Sales Aid OL23562							
EL-3394	LTC Sales Aid OL26570							
EL-3395	LTC Sales Aid OL26688							
EL-3396	LTC Sales Aid OL15295							
EL-3397	LTC Sales Aid OL19385							
EL-3398	LTC Sales Aid OL21611							
EL-3399	[MAKING REINTEGRATION THE GOAL... ZYPREXA OLANZAPINE ANTIPSYCHOTIC POWER FOR ROUTINE USE, OL 18032, ANTIPSYCHOTICS AND HYPERGLYCEMIA]			X				
EL-3400	PSYCHOTROPICS AND DIABETES [ZYPRIEXA OLANZA7PJNE, 60-OL 19739 10179502]							
EL-3401	Zyprexa Hyperglycemia information 4 Pager							
EL-3402	Zyprexa Hyperglycemia Sell Sheet Insert							
EL-3403	INCIDENCE OF DIABETES WITH ANTIPSYCHOTIC AGENTS, FINDINGS FROM 4 EPIDEMIOLOGICAL STUDIES							
EL-3404	Zyprexa Hyperglycemia Sell Sheet							
EL-3405	Zyprexa Weight Gain Management Strategies Sell Sheet							
EL-3406	Zyprexa Core Folder [OL22948]							
EL-3407	Zyprexa Primary Care Physician Sales Aid [OL27957]							
EL-3408	you know your patients. Now know Zyprexa.							

3/18/2008

06-05630CI

ADMITTED DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE NO. 3AN-06-863

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge	To Exhibit Clerk
EL-3424	Olanzapine Core Folder #2 [OL10012]							
EL-3425	Schizophrenia Placebo Acute Sell Sheet [OL16822]							
EL-3426	Schizophrenia Placebo Outpatient Sell Sheet [OL16821]							
EL-3427	Zyprexa Hyperglycemia Sell Sheet Benefits Risks: Psychotropic therapy in any individual patient (including those with hyperglycemia) should be evaluated in the context of that patient's overall response and toleration of therapy.							
EL-3428	Zyprexa I Comparable rates of diabetes and hyperglycemia among psychotropics							
EL-3429	Diabetes and Patients with Mental Illness			✓				
EL-3430	Patient/Dosing Clarity Document Institutional Marty Leave Message							
EL-3431	Leave Behind							
EL-3432	PSUR 9							
EL-3433	PSUR 10							
EL-3434	PSUR 11							
EL-3435	PSUR 12							
EL-3436	PSUR 13							
EL-3437	PSUR 17							
EL-3438	Procedure for MedDRA Coding Procedure for Post Data Entry							
EL-3439	Quality Check							
EL-3440	Policy on Valid Case							
EL-3441	Policy on Valid Case							
EL-3442	Policy for Valid Case							
EL-3443	Policy for MedDRA Coding							

3/18/2008

06-05636

ADMINISTRATIVE DOCUMENTS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

CASE

EXH	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	From Jury/Judge
EL-3791	See Julia Robb, Mental Illness Robbed Local Woman of Her True Self, Marshall News Messenger, May 11, 2004						
EL-3792	FDA 9/11/03 letter re atypical antipsychotics class labeling for hyperglycemia/diabetes adverse events						
EL-3793	John M. Zajecka et al., A Comparison of the Efficacy, Safety, and Tolerability of Divalproex Sodium and Olanzapine in the Treatment of Bipolar Disorder, 63 (12) J. Clin. Psychiatry 1148 (2002)						
EL-3794	Zyprexa® package insert (revised 11/01/01)						
EL-3795	FDA 4/19/04 Warning Letter to Janssen Pharmaceutical, Inc., at <a href="http://www.fda.gov/cder/warn/2004/12195Risperdal.pdf">http://www.fda.gov/cder/warn/2004/12195Risperdal.pdf</a>			X			
EL-3796	FDA 11/9/00 approval letter						
EL-3797	FDA 9/30/96 approval letter						
EL-3798	FDA 3/17/00 approval letter						
EL-3799	FDA 7/10/03 approval letter, at <a href="http://www.fda.gov/cder/foi/appletter/2003/20592se1-018ltr.pdf">www.fda.gov/cder/foi/appletter/2003/20592se1-018ltr.pdf</a>						
EL-3800	FDA 1/14/04 approval letter, at <a href="http://www.fda.gov/cder/foi/appletter/2004/20592se1-019ltr.pdf">www.fda.gov/cder/foi/appletter/2004/20592se1-019ltr.pdf</a>						

3/18/2008

06-056

ADMINISTRATIVE DOCS AS OF  
3/18/2008

SOA V. ELI LILLY COMPANY

EXH_NUM	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge	Ju
EL-3801	Patrizia Cavazzoni et al., Retrospective Analysis of Risk Factors in Patients With Treatment- emergent Diabetes During Clinical Trials of Antipsychotic Medications, 185 (Supp. 47) Brit. J. Psychiatry S94 (2004).	3/21 ✓					
	Elizabeth A. Koller & P. Murali Doraiswamy, Olanzapine-Associated Diabetes Mellitus, 22 (7)						
EL-3802	Pharmacotherapy 841 (2002)						
EL-3803	IND Annual Report 1993						
EL-3804	IND Annual Report 1992						
EL-3805	PADER Submitted 4/29/97						
EL-3806	PADER Submitted 1/28/98						
EL-3807	DB1						
EL-3808	DB2						
EL-3809	DB3						
EL-3810	DB4						
EL-3811	DB5						
EL-3812	DB6						
EL-3813	DB7						
EL-3814	JS06H1204H_MED1_2004						
EL-3815	JS06H1204H_MED1_1996						
EL-3816	JS06H1204H_MED1_1997						
EL-3817	JS06H1204H_MED1_1998						
EL-3818	JS06H1204H_MED1_1999						
EL-3819	JS06H1204H_MED1_2000						
EL-3820	JS06H1204H_MED1_2001						
EL-3821	JS06H1204H_MED1_2002						
EL-3822	JS06H1204H_MED1_2002						
EL-3823	JS06H1204H_MED1_2003						
EL-3824	JS06H1204H_MED1_2003						
EL-3825	JS06H1204H_MED1_2005						

3/18/2008

06-05

DAILY STATE SHEET

SOA V. ELLY CO.

MARCH \_\_\_\_\_, 08

	A	B	C	D	E	F	G
	EXH. NUMBER	TITLE	ID by Wit.	Offered	Admitted	Withdrawn Date	To Jury/Judge
1							
2	3932	12/27/00 Lottin			X		
3	3381	Solution for Wellers			X		
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							

06-05

DAILY SHEET

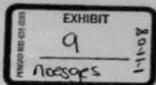
SOA V. ELLY CO.

MARCH 18, 08

D's ΣK.

	A	B	C	D	E	F	G
1	EXH. NUMBER	TITLE	ID by Wit.	Offered	Admitted	Withdraw n Date	To Jury/Ju e
2	3907				✓ 348		
3	3939	Clinical Study olanzapine			✓		
4	3931	8. D. 2. d. 1. b			✓		
5	3898A	Recommendation for Screening			o		
6	3911	Jaffin Label Change			o		
7	3901	Proprietary & Methods			o		
8	3915	2004 PDR			o		
9	3916	2006 PDR			o		
10	3917	Clozaril			o		
11	3919	Product Info			o		
12	3921	Serogoni			o		
13	3922	Janssen / 1764 PDR			o		
14	3923	Janssen / 11658 PDR			o		
15	3924	Janssen - Responder			o		
16	3924				o		
17	3925	2004 PDR			o		
18	3926	Pfizer / 2514			o		
19	3927	Gooden			o		
20	3928	Ortho / Mearl			o		
21	3929	13RAINtree			o		
22	3930	Highlight of Prescription Info			o		

LillyUSA  
Sales Good Promotional Practice  
Definition of a Sales Call and Call Notes  
Eli Lilly and Company  
02-001



**Objective:** To provide a policy for defining a sales call between sales personnel and a Healthcare Professional.

**Scope:** This GPP applies to all sales personnel and sales support personnel in LillyUSA and all sales activities that take place in the United States or with US Healthcare Professionals.

**Policy Statement:** It is the policy of LillyUSA that all sales personnel appropriately document sales calls with Healthcare Professionals in the call tracking system.

**Definitions:**

**Healthcare Professional:** any physician, physician's assistant, nurse, nurse practitioner, diabetes nurse educator, clinical psychologists, clinical investigator, pharmacist, Pharmacy and Therapeutics Committee ("P&T") member, social worker, case worker, dietitian, office staff, or any individual involved in prescribing, P&T, access, formulary, purchasing and/or reimbursement decisions.

**Sales Call:** A "face-to-face" discussion about Lilly product(s) between a Healthcare Professional and a Lilly sales representative.

**Call Note:** A business record documented within a call system that accurately reflects all aspects of a sales call.

**Information and Procedures:**

- A sales call is a "face-to-face" discussion about Lilly product(s) between a Healthcare Professional and a Lilly sales representative.
- The goal of a sales call is to appropriately influence a Healthcare Professional using the approved Lilly product information to allow him/her to choose the best therapy for his/her patient(s) and ultimately to increase sales of Lilly products.

A "call" does **NOT include:**

- Dropping of material(s) and/or Lilly samples at the Healthcare Professional's office (e.g. leave behinds, patient brochures) without having a discussion with the Healthcare Professional.
- Speaking only with office staff, nurse or receptionist in the office that does not

State of Alaska v. Eli Lilly and Company;  
Confidential - Subject to Protective Order  
ZYAK-AG200026776

have prescribing authority and is not an identified key non-prescribing customer by the Operations Team.

- o Phone call with a doctor or other office staff
- o Social interaction in which a specific Lilly product is not discussed
- o Written correspondence with a Healthcare Professional. (See GPP 02-003, Promotional Materials)

- For each sales call and/or sample drop, the sales representative must accurately document the interaction in the Structured Call Note (SCN) system in Premier. If applicable, unsolicited questions or medical letter requests must also be documented within the SCN system according to policy, GPP 02-004 Unsolicited Questions on Off-Label Information or Unapproved Products. In order to comply with company Red Book policies on document retention, sales representatives should avoid creating any other documentation about sales interactions outside of the SCN system (such as personal logs). The SCN system has automatic retention and retrieval capabilities that meet company document retention policies. However, if it is absolutely necessary to create any other documentation, the sales representative is personally accountable for complying with company document retention policies and must submit these documents to corporate upon request.

**For additional information:**

- Lilly Red Book
- Unsolicited Questions on Off-Label Information or Unapproved Products
- DVD Training on Structured Call Notes

**Owner and Contact Information:** Director of Sales Compliance

**Effective Date:** 6/1/04

**Version:** 2

**Note:** If you are using a printed copy of this document, check that the version number is consistent with the current version number in Knowledge Management on-line.

State of Alaska v. Eli Lilly and Company;  
Confidential - Subject to Protective Order  
ZYAK-AG200026777

1706950-90

06-05630CT

0  
noesges  
L1

LillyUSA  
SALES GOOD PROMOTIONAL PRACTICES  
ELI LILLY AND COMPANY  
UNSOLICITED QUESTIONS ON OFF-LABEL INFORMATION OR UNAPPROVED PRODUCTS  
GPP 02-904

**Objective:** To provide sales personnel with a policy and procedures regarding how to handle unsolicited questions for off-label information or unapproved products in order to ensure compliance with all applicable laws, regulations, and company policies.

**Scope:** This GPP applies to all sales personnel and sales support personnel in LillyUSA and all sales activities that take place in the United States or with US Healthcare Professionals.

**Policy Statement:** It is the policy of Eli Lilly and Company to comply with FDA regulations that prohibit the promotion of any unapproved new product; or indication, dosage form, and/or dosing schedule for any marketed product, with any customer by sales and marketing personnel, or other Lilly personnel or representatives in a promotional context.

**Definitions:**

**Healthcare Professional:** A Healthcare Professional is defined as any physician, physician's assistant, nurse, nurse practitioner, diabetes nurse educator, clinical investigator, pharmacist, Pharmacy and Therapeutics Committee ("P&T") member, social worker, case worker, dietitian, office staff, or any individual involved in prescribing, P&T, access, formulary, purchasing and/or reimbursement decisions.

**Off-label Information:** Any information about a Lilly product that is not contained in or is not consistent with the package insert labeling approved by the FDA. Examples include, but are not limited to, indications, dosage forms, dosing schedules, combination therapy, and safety information.

**Procedure:**

**Sales Personnel *MAY NOT*:**

Proactively discuss, present, or promote information concerning unapproved new products or off-label information about approved products with any customer or health care professional.

**However, Sales Personnel *MAY*:**

Respond orally to unsolicited requests for pre-approval or off-label product information, but only if all of the conditions below are strictly observed:

- The response is made to a customer-generated, specific question. The question from the customer cannot be prompted in any manner
- If a broad, general question is posed, ask the customer to narrow the inquiry
- Do not get drawn into detailed discussions of an off-label use. Route detailed questions back to Lilly's Customer Service Group for a medical letter response
- Before you respond you must advise the customer that their question is about an OFF-LABEL or NOT APPROVED topic and if appropriate, remind them of that drug's FDA-authorized indication(s) and/or dosage and other relevant labeling information. Example: "You will note [drug name] is not indicated for \_\_\_\_\_; it is indicated for \_\_\_\_\_."
- If the HCP's specific request is covered in a Brand-approved verbatim, that response must be used. It is the responsibility of the sales force to know any specific Brand

State of Alaska v. Eli Lilly and Company;  
Confidential - Subject to Protective Order  
ZYAK-AG200026780

verbatim and instructions about how to handle unsolicited questions. Any Brand verbatims and instructions will be found on KM

- If a Brand verbatim or other instructions are not available and the sales force knows the answer, a reply specific to the question asked may be given, but cannot be promotional
- The reply must be made only to the individual asking the question; others should not be able to hear the conversation
- Sales personnel must not volunteer additional information except within approved labeling
- Add fair balance (safety information) if relevant
- Sales personnel must also offer the HCP the option of a medical letter request as a supplement to the representative's verbal response.

If there is no Brand verbatim and sales personnel does not know any other information related to the question, the sales force must request a medical letter to respond to the health care professional's unsolicited question.

Medical Letters can be requested by one of the following methods:

- a. Call Sales Services (1-800-222-INDY) to request that a medical letter response be sent to the requester;
- b. Request a Medical Letter response be sent to the requester in the customer call section of Premier Force.

Policy Owner: Director of Compliance for Sales

Effective Date: 1/15/04

Version 3

NOTE: If you are using a printed copy of this document, check that the version number is consistent with the current version number in KM.

State of Alaska v. Eli Lilly and Company:  
Confidential - Subject to Protective Order  
ZYAK-AG200026781

INDY 950-90

06-05630CI

**To:** docatfish2002@yahoo.com; mentalh@alaska.nte; mlangdon@provak.org; rmassar@gci.com; worthmore@gci.net; wsnow@peacehealth.org  
**CC:** CN=Jeffrey M Hattori/OU=AM/O=LLY@Lilly  
**Date:** 04/29/2003 01:49:38 AM  
**From:** CN=Joey L Eski/OU=AM/O=LLY  
**Subject:** Physician Letters to Governor, Legislators and Commissioner  
**Attachments:** Alaska - PA Letter 1.doc; Alaska - PA Letter 2.doc; Alaska - PA Letter 3.doc; Alaska - PA Letter 4.doc

The following documents and addresses should be helpful in communicating your concern over the pending state prior authorization issue. Thanks for your Support,

Joey Eski,  
 Eli Lilly & Co.



Alaska - PA Letter 1 doAlaska - PA Letter 2 doAlaska - PA Letter 3 doAlaska - PA Letter 4.doc

Honorable Frank Murkowski  
 Governor, State of Alaska  
 P.O. Box 110001  
 Juneau, AK 99811-0001

fax: 465-3532  
 Dear Governor Murkowski...

Joel Gilbertson, Commissioner  
 Department of Health and Social Services  
 P.O. Box 110601  
 Juneau, AK 99811-0601

06-05630CJ

fax: 465-3068

Dear Commissioner Gilbertson...

Representative John Harris, Co-Chair  
House Finance Committee  
Capitol, Room 507  
Juneau, AK 99801-1182

fax: 465-3799

Dear Representative Harris...

Representative Bill Williams, Co-chair  
House Finance Committee  
Capitol, Room 515  
Juneau, AK 99801-1182

fax: 465-3793

Dear Representative Williams...

Senator Lyda Green, co-chair  
Senate Finance Committee  
Capitol, Room 516  
Juneau, AK 99801-1182

fax: 465-3805

Dear Senator Green...

Senator Gary Wilken, co-chair  
Senate Finance Committee  
Capitol, Room 518  
Juneau, AK 99801-1182

fax: 465-4714

Dear Senator Wilken...

Page: 2 of 2

06-05630CT

Nate Miles, MPA, Lilly  
Kevin Walters, PHDAE, Lilly  
Joey Eski, Neuro Institutional Sales, Lilly  
Marit van Dort, Contract Advocacy Coordinator

Jeffrey Hattori, Public Affairs Liaison, Lilly  
Frank Dorr, DM Institutional, Lilly  
Sam Kito, Contract Lobbyist  
Barbara Smith, PR Firm, Harris and Smith

### ASAT MEETING MINUTES

#### Objectives:

1. Full MH Medication Carve-Out

#### Legislative/Administrative Update

MH medication carve-out language is crafted and prepared to be "dropped", if necessary, via Alaska Psychiatric Assoc (supported by the AK Recovery and Choice Coalition) through Rep. Peggy Wilson and supported by Lesil McGuire. Commissioner Gilbertson has mentioned he would protect MH meds administratively rather than legislatively, however, Anti-Depressants are on the agenda for the May 21, '04 P&T Committee and Gilbertson has made public comments that seem to contradict his earlier commitments to protect MH meds including protecting only anti-psychotics and for only this legislative session (versus 1 year). Need to identify interventions to partner with Commissioner Gilbertson...Kevin is working on CNS program.

#### Action Steps:

- Jeffrey follow-up on MH carve-out language with Psych Assoc and work with Sam to ensure correct language and follow-up with legislators.
- Kevin following up with HSS on CNS implementation.
- Kevin to ensure coverage of P&T members by sales
- Kevin/Jeffrey work to have a special meeting on MH meds by P&T members...bring in speakers/experts.
- Kevin/Joey/Jeffrey work to have speakers/advocates at P&T meeting to defend MH meds. Joey identified a Larry Ershivski(?) as a potential speaker and will identify someone from the "Bush". Also, will see how we can better work with Lex von Hafften.

#### PHDAE Update

Kevin reported discussions continue with Commissioner Gilbertson's staff: Bob Labbe and Bill Hogan on CNS intervention. redacted Kevin working with Bob Johnson and Michelle Hansen on Diabetes medication issue. No issues around ADA report.

#### Action Steps:

- Kevin to follow-up on next steps with CNS and report to ASAT
- Kevin to work with Nate and Jeffrey on CNS intervention.
- Kevin following up with Dr. Campana and First Health to determine clarity on process for "bidding" with Diabetes meds to be on PDL and will report back to ASAT.

#### Advocacy Update

Coalition developing that will fight for MH carve-out, led by Psych Assoc, NAMI and others. Bi-weekly conference calls are being held. Preparing letters to legislators for continued push on MH carve out. Jeffrey also reported that the impacts to cuts in CAMA services are having devastating impact on consumers...advocacy groups will seek health outcomes data.

#### Action Items:

- Jeffrey will work with coalition on MH carve-out based on clarification of Gilbertson's intent to protect MH meds and implementation of CNS.



**ALASKA STATE ACTION TEAM (ASAT) MEETING**  
Monday, May 5, 2003 11:00am - 12:00pm (Pacific)  
Teleconference Call

**ATTENDEES**

Jeffrey Hattori, Allied Development Specialist, Lilly  
Frank Dorr, DM Neuro, Lilly  
Bill Thomas, Contract Lobbyist Associate

Kevin Walters, PHDAE, Lilly  
Nelda Stewart, Contract Lobbyist Aide (Sam Kito)  
Amy Daugherty, Contract Advocacy Coordinator

**ASAT UPDATES**

**Overarching Goals**

Protect all Lilly Products, in particular Zyprexa, and new products.

**Legislative Environment**

Jeffrey reported that Nate will be in Alaska this week to attempt to secure a MH medication exemption. The legislature is moving forward to implement a PA on all prescription medications administratively and may create minimums and maximums number of scripts for a particular medication. PhRMA is attempting to add amendments to the bill with Chair Max Williams, however, have not been successful as of yet. The bill currently is in the House Finance Committee. Don Muse (via PhRMA) presented to legislators and Medicaid on 4/8 and 4/10 to develop alternative strategies for cost savings and hope to have a report presented.

Nate will also try and support efforts at state hospital on "informed consent" issue. Frank and Mary Beth Clements brought this up.

**PHDAE Update**

Kevin continues to work the Departments and will support efforts via letter writing with Alaska Psych. Assoc. and CMHCs. Kevin I working with Dr. Campana on cost savings programs and supported arranging meeting with Del Paggio (who is a key advocate for open access).

**Advocacy Update**

Through the efforts of Frank Dorr, Jon Hett and Joey Eski...nine (9) physicians were secured via Dr. Verner Stillner to support access to MH meds by writing letters or testifying. Dr. Stillner has secured and sent off 5 letters and Joey and Mary Beth are securing more. Jeffrey will work with Joey and Amy to get letters to Governor and co-chairs of the Finance Committee in the House and Senate along with the Commissioner of DHS. We must continue to get letters!!!

NAMI Alaska and MHA Alaska have been hit hard by the budget crisis and will no longer be funded after June 30, 2003. National NAMI is not able to come up to Alaska to help with this issue and the PA due to major crises in other states. Amy is working to get letters.

Amy reported that the MH Commissioner has verbalized that MH medications will not be affected by the PA. However, Amy will try and work with Sam Kito to try and get this in writing. In addition, the MH Board and Trust along with providers are being very careful on how they approach this issue and may not "weigh-in" until the last minute.

Bill Thomas will work with "SEARL" (Native Community) Executive Director to elicit their support.

Joey Eski had provided a great list of potential advocates including Dr. Verner Stillner, Bartlett Memorial; Pat Murphy, Clinical Director, JAMHI, Jeff Jesse, MH Trust Authority Board; Kate Webster/Richard Rainey, MH Board; Bill Hogan, HHS MH Director; Bob Levy, HHS Deputy Commissioner, Jill Gilbertson, Behavioral Mental Health.

State of Alaska v. Eli Lilly and Company: Confidential-Subject to Protective Order  
ZYAK-AG00000638

06-056950-90

**2003 Legislative Battle Plan**  
**Exempt MH medications from any PA. Next steps include:**

- > Nate will work with Sam Kito this week to secure legislative support.
- > Amy will continue to get letters from advocacy organizations and follow-up with MH Commissioner on getting something in writing of his support of protecting MH medications.
- > Jeffrey, Joey, Mary Beth, and, Kevin will continue to get letters from "Thought Leaders" and send out ASAP.
- > Kevin to develop programs on VOA, differentiation for his customers. Jeffrey will support.
- > SALES... please secure letters from physicians who will defend MH and are willing to write letters to media and legislators.

**MEETING SCHEDULE**

Next Teleconference Call is scheduled for:

Monday, May 19, 2003 11:00am - 12:00pm (Pacific)  
Call-In Number: 1-877-455-8688 Participant Code: 539384

Bi-weekly meetings will be scheduled during the legislative session and Nate will provide periodic updates on VMX.

IC 06 950-90

06-05630 CI

**Nate Miles, Manager Public Affairs, Lilly**  
425-803-2617/phone  
[redacted]

nate\_miles@lilly.com

**Jeffrey Hattori, Allied Development Specialist, Lilly**  
253-638-7104/phone  
[redacted]

hattorijm@lilly.com

**Kevin Walters, PHDAE, Lilly**  
253-858-8534/phone

walters\_kevin\_r@lilly.com

**Joe Busby, Manager, PHDAE, Lilly**

joebusby@lilly.com

**Brian Stoneking, District Manager, Lilly**  
[redacted] 425-803-2685/fax

stoneking\_brian\_d@lilly.com

**Jonathon Hett, District Manager, Neuroscience Business, Lilly**  
425-803-2605/phone

hett\_jonathon\_e@lilly.com

**Frank Dorr, District Manager, Neuroscience Institutional, Lilly**  
425-803-2605/phone

dorr\_frank\_h@lilly.com

**Lisa Lund Fitzer**  
949-305-2782/phone

fitzer\_lisa\_lund@lilly.com

**Trina Clark, Neuroscience Outcomes Liaison, Lilly (8-462-0485)**  
415-292-6725/phone  
[redacted]

clark\_trina@lilly.com

**Amy Daugherty, Advocacy Consultant**  
907-463-2568/phone

amydaugherty@gci.net

**Sam Kito, Contract Lobbyist**  
907-463-5486/phone

kitoinc@gci.net

**Barbara Harris, PR Firm, Harris and Smith**  
206-343-0250/phone

barbara@harrisandsmith.com

**To:** CN=Jeffrey M Hattori/OU=AM/O=LLY@Lilly  
**Date:** 05/08/2003 10:54:31 PM  
**From:** CN=Joey L Eski/OU=AM/O=LLY  
**Subject:** Re: URGENT!!! NEED LETTERS NOW!!! PLEASE READ: Alaska State Action Team Meeting  
 5/19/03 11:00am Pacific  
**Attachments:** Alaska - PA Letter 1.doc; Alaska - PA Letter 2.doc; Alaska - PA Letter 3.doc; ASAT - Meeting Minutes  
 05-05-03.doc; PA - Bullet Points.doc

Jeffery,

All these people and more sent letters in directly - I did not request copies - but will try to get them - Joey

Jeffrey M Hattori  
 05/08/2003 02:18 PM

**To:** Jonathon E Hett/AM/LLY@Lilly  
**cc:** Joey L Eski/AM/LLY@Lilly, Nathaniel R Miles/AM/LLY@Lilly, Schelly D Cramer/AM/LLY@Lilly  
**Subject:** Re: URGENT!!! NEED LETTERS NOW!!! PLEASE READ: Alaska State Action Team Meeting 5/19/03  
 11:00am Pacific

Thanks everyone for your help on this...I have five letters from Dr. Stillner and other docs from Bartlett. I know Joey was working on some others...however, here are some others, if you have contact with, who had signed up from the APA meeting:

Mary Langdon	550-2300
Wynelle Snow	228-7660
Mark Samson	529-0061
Carrie Rader	550-2300
David Holladay	745-7080
David Samson	
Wandall Winn	
Ramzi Nassar	
Mari Jeanne Moore	

Thanks again!!!  
 Jeffrey

1006950-90

Jonathon E Hett

05/08/2003 02:59 PM

To: Schelly D Cramer/AM/LLY@Lilly, Joey L Eski/AM/LLY  
cc: Jeffrey M Hattori/AM/LLY@Lilly, Nathaniel R Miles/AM/LLY@Lilly  
Subject: URGENT!!!! NEED LETTERS NOW!!!! PLEASE READ: Alaska State Action Team Meeting 5/19/03 11:00am Pacific

Joey and Schelly,

Please provide me with an update on how this need is being implemented via vmx. Could you also copy Nate and Jeffrey on the vmx.

Thank you in advance for your efforts,

JH

----- Forwarded by Jonathon E Hett/AM/LLY on 05/08/2003 02:55 PM -----

Jeffrey M Hattori

05/08/2003 12:09 PM

To: amydaugherty@gci.net, Jorge Boldrini/AM/LLY@Lilly, Scott J Brown/AM/LLY@Lilly, C Joe Busby/AM/LLY@Lilly, clark\_trina@lilly.com, Mary Beth Clements/AM/LLY@Lilly, clouthier\_kristen@lilly.com, Frank H Dorr/AM/LLY@Lilly, Joey L Eski/AM/LLY@Lilly, Lisa Lund Fitzner/AM/LLY@Lilly, Michele Hansen/AM/LLY@Lilly, Jonathon E Hett/AM/LLY@Lilly, Robert C Johnson/AM/LLY@Lilly, kitoinc@gci.net, J Jerry Krizbacker/AM/LLY@Lilly, Sean K Murphy/AM/LLY@Lilly, nate\_miles@lilly.com, Michael L Overfelt/AM/LLY@Lilly, John R Schultz/AM/LLY@Lilly, Brian D Stoneking/AM/LLY@Lilly, walters\_kevin\_r@Lilly.com, Kevin Noel Welsh/AM/LLY@Lilly

cc:  
Subject: URGENT!!!! NEED LETTERS NOW!!!! PLEASE READ: Alaska State Action Team Meeting 5/19/03 11:00am Pacific

THE TIME IS NOW TO FULLY ENGAGE OUR BATTLE PLAN TO GET A MH CARVEOUT. PLEASE IDENTIFY ALL ADVOCATES INCLUDING PHYSICIANS TO ENGAGE IN THIS BATTLE.

I HAVE ATTACHED SAMPLE LETTERS BELOW, PLEASE SECURE LETTERS ON LETTERHEAD AND HAVE SENT TO THOSE

Page: 2 of 4

1208950-00

ADDRESSED. ALSO, FAX COPY OF LETTERS TO SAM KITO'S OFFICE @ 907-463-3275. NATE IS IN AK RIGHT NOW AND NEEDS THE LETTERS

LEGISLATIVE SESSION IS ENDING VERY SOON AND ACTING QUICKLY....THANKS FOR YOUR HELP!

I have attached the meeting minutes from 5/5/03 and the Physician "Truth Squad" strategy. The next ASAT teleconference call is scheduled for:

WHEN: Monday, May 19, 2003 @ 11:00am - 12:00pm (Pacific) 10:00am Alaska

CALL-IN #: 1-877-455-8688

PARTICIPANT CODE: 539384

The draft agenda will include:

Prior Authorization Regulation  
Legislative "Battle Plan" Implementation  
Updates and strategies (legislative, PR, advocacy, physicians)  
Next Steps and Meetings

If there are other individuals who should be on this call, please forward this e-mail. Please e-mail me if you will participate in the meeting or not AND to add any agenda items. Thank you.

Jeffrey Hattori, Ally Specialist  
State Government Affairs - PNW Region  
Eli Lilly and Company

redacted



ASAT - Meeting Minutes 05-05-03.(Alaska - PA Letter 1.doAlaska - PA Letter 2.doAlaska - PA Letter 3.doPA - Bullet Points.doc

T 2003 05 19 - 00

**Hattori Public Affairs Liaison Monthly Report**  
April 20, 2004 – May 19, 2004

**TO:** Jackie Giovanoni  
**CC:** Chris Beal, Nate Miles  
**FROM:** Jeffrey Hattori

---

**KRA 1 – Pricing, Reimbursement, and Access**

- 1) Mobilize advocates in response to access threats across Lilly's product portfolio including new products.
- 2) Broaden and deepen advocacy support through the engagement of:
  - > Coalitions
  - > Professional groups
  - > Criminal justice organizations and officials
  - > Communities of color
- 3) Effective and compliant utilization of PR firm.

**KRA 2 – Brand**

- 1) Promote the Lilly Brand through programs such as Lilly Answers and external engagement.
- 2) Support individual brands through disease education materials and programs – special emphasis on new mental health products.
- 3) Outreach and engagement of diverse communities.
- 4) Effective and compliant utilization of PR firm.

**KRA 3 – Alignment of Corporate Employees**

- 1) Provide support to State Action Team (SAT) objectives.
- 2) Interact with sales team regarding advocacy.
- 3) Provide advocacy support for federal and state policy initiatives.

**KRA 4 – Corporate Affairs Training and Development**

- 1) Take appropriate coursework according to the agreed upon development plan via MPA and Supervisor.
- 2) Special projects.

**KRA 5 – Compliance**

- 1) Comply with all compliance requirements in daily work.
- 2) Participate in all compliance-training programs.

**STATE ACTIVITIES: (narrative or bullets)**

**Washington (Session Completed)**

WSAT "Battle Plan" developed for 2004 legislative session to protect DAW and secure FULL MH medication carve-out. OUTCOME: DAW still in place but did not secure MH carve-out, however, was able to secure additional legislative support to protect MH medications AND able to restore prescriptive authority of atypicals for health care professionals. Currently, working on SAT strategy with MPA and PHDAE in preparation for September P&T meeting that will review atypicals and anti-depressants. P&T meeting originally scheduled for June, however, postponed to allow for CEBP to present its findings. Worked with MPA on Rep. Alexander's MH Medication Forum with legislators, state budget staff and advocates. Successful meeting that exposed significant "holes" in state's depth of understanding and methodology to restrict access. Following up with advocates (WaPIC and NAMI).

- WaPIC continues to address MH medication access and is preparing to engage state Medicaid and P&T committee in September. Participated in Rep. Alexander's MH Medication Forum and will follow-up for further efforts. Hosted a presentation by Trina Clark, Outcomes Liaison, on value of atypicals and unintended consequences (health/fiscal) by restricting access... attended by NAMI WA. Planning is underway for 2<sup>nd</sup> annual statewide conference in Q3. WaPIC presented to state Medical Association on CJ/MH issues including need for "open access". Attended with WaPIC Executive Director presentation by Dr. Scot Purdon on schizophrenia/cognitive abilities/value of atypicals on 4/20.
- NAMI WA – Working with State President and VP on next steps to increase advocacy and educational efforts including supporting efforts to address state MH systemic, policy and budget issues. Developing plan to coalesce all MH advocacy organizations to work exclusively with legislators and budget analysts and create 1-2 meetings with legislators to address common MH legislative issues/agendas including access to medications.

1206950-90

Mental Health and Health Care Disparities Coalition of Communities of Color/PNW National Black Chamber of Commerce – participated in 4/30 meeting to continue work on SB 8419 that would create a bi-partisan taskforce to address health disparities with communities of color. Coalition will be a primary player in the development of recommendations. Supported and participated in PAP/Health Care Fair in Seattle on May 20. Served as luncheon speaker and had LillyAnswers display. Supporting summer MH forum with Dr. Rahn Bailey, tentatively scheduled for July 13/14 and will address cultural competency and access. Coalition preparing for September P&T meeting. ARNPs United – met with Legislative Chair to discuss strategy and issues including P&T meeting. They are very concerned and mentioned they would be at P&T meeting to testify. WA AAFP – developing relationship with Executive Director, Carla Pratt (meeting on June 7)...brokered by Patty Conroy, PAL. PNW JACL – discussed with Regional Director (in Seattle) and Governor (in Anchorage) and key Seattle Chapter Board members including President-Elect incorporating health (mental health) disparity issues as part of advocacy efforts. Denise Louie Early Childhood Education Center – discussed follow-up to children’s MH issues community forum. City of Seattle, Division on Youth and Family Services – met with Director (former state legislator) to discuss state MH issues with emphasis on communities of color. Attended “Asian Pacific Islander Elected Officials” event with MPA on 5/4; attended Neighborhood House Fundraising Breakfast on 4/29 on behalf of Lilly. Held series of meetings with communities of color organizations and individuals to increase advocacy efforts (including supporting a Asian Pacific Islander Community Summit of 10,000 on advocacy...I am serving as a panelist on legislative advocacy activities) and education on mental health/health care.

- Implementing with PR Firm 6 month work plan that will redirect efforts towards more PR efforts for Lilly and general MH/prescription drug issues including supporting media efforts with product launches, issues including hyperglycemia/diabetes, importation, utilization/dissemination of “Library” materials, preparation to discuss new Medicare bill implications, promote LillyAnswers, and other efforts.

**Oregon (Next Session in January '05)**

Participated in Mental Health Matters (MHM) meeting on 4/28/04. MHM sent letters to Gov’s Task Force on MH to protect MH services and RX benefit for OHP Plus and Standard populations. MHM developing strategy to incorporate their recommendations on MH services and access to medications to present on May 27 at Gov’s Task Force on MH. In addition, most MHM members are on state’s CNS Stakeholders group and are advocating against an algorithm that promotes “cheapest first” being introduced by Office of Mental Health/Addiction Services.

- NAMI Oregon – Working with new Executive Director, Angela Kimball, on reorganizing state organization. Continue to facilitate an overall strategic/marketing plan to increase NAMI OR “brand”, membership and operations to support education/advocacy efforts.
- Participated in OR PIC Executive Committee meeting on 5/6/03. Marion County (Salem) Sheriff Raul Ramirez, Local Public Safety Coordinating Council Chair, Multnomah County (Portland) Commissioner Lisa Naito, and Clackamas County Mental Health Court Judge Robert Sealander, are OR PIC State Co-Chairs. Interim Executive Director Jeff Davis who is former Marion County MH Director and advocate for open access. Currently a co-chair to develop short and long term goals for OrPIC and have developed and presented mission, objectives, and principles for short/long term goals. Recommendations have been accepted to present to Steering Committee.
- Working with OSAT and PR Firm to implement statewide PAP/Health Care Fair in Portland in May 2004. Goal is to have 100 attend including Governor, legislators, state departments, media, advocacy groups, seniors and others participate.
- Continue to meet with key advocacy organizations including:  
 African American Health Coalition (AAHC) – planning a “depression” forum for African American women in Q3 '04. Dr. Marilyn Martin to speak and supported by Senator Avel Gordly and Margaret Carter.  
 SMG Foundation – sponsoring a major Latino MH and Family Health Fair and Forum on 5/21 and 22 that will include PCPs and key legislative and state staff. Notion is to discuss and promote solutions (including access to meds) to treat depression and discuss public policy issues that support more

access and utilization of Latino's in the MH system. Also, discussing the creation of a communities of color coalition on MH...working with Executive Director and OHSU's Multicultural Health Dept. Coalition for Responsible Treatment - Brokered meeting with OACMHA to discuss partnership at state and federal levels. Supporting planning efforts for May 27 conference on senior mental health issues.

MHA Oregon- met with President to discuss strategy and CEBP.

Oregon Advocacy Center (part of MHM and ORPIC) - met with Executive Director to discuss developing strategies to ensure patient protections. Concept revolves around incorporating aspects of "Environmental Impact Studies" that would require a further analysis of measuring health outcomes and fiscal impacts (unintended consequences) of any legislation or administrative rule that would cut access to MH medications and health services.

CADO - met with consultant, Elizabeth Byers (former Executive Director of MHA Oregon) on efforts to support "wellness" (nutrition and exercise) for individuals with mental illness.

Cascadia Behavioral Health - met with coordinator, Jackie Strong, of African American community/Criminal Justice/Mental Health effort to discuss solutions/strategies.

#### Hawaii (Session Completed) (Visited April 21-23)

HSAT "Battle Plan" developed for 2004 legislative session to secure FULL MH medication carve-out.

OUTCOME: Secured via lead efforts by MPA and Contract Lobbyist a "carve-in" of MH medications in HI "RX Plus" program. Budget proviso protecting MH meds in Medicaid FFS in place through June '05. Currently, working on SAT strategy to educate key legislators, providers, advocates, and bureaucrats on clinical/fiscal value of "open access". Planning a MH Medication Forum with legislators, state budget staff and advocates.

- Met with and continuing efforts working with Mental Health Collaborative/"Five Families" that include MHA in Hawai'i, NAMI Hawaii, NAMI Oahu, Hawaii Families as Allies (children's mental health), and, United Self-Help (MH consumer group). Serving as "at-large" member of collaborative to support development of legislative priorities and organizational structure. Members held series of meetings/communications with key legislators to protect MH medications. Scheduling a presentation by United Self Help to Majority Caucus in June on MH and need for open access. Overall strategy is to develop an "empowerment" program to educate and mobilize consumers, family members and other key stakeholders to be more active in the political process including presentations to candidates on MH issues, candidates forums, voter registration and GOTV, and, community MH forums. Briefed members on implications of Multi State Purchasing Pool...two members are writing letters of concern to appropriate entities/individuals.
- Met with HI Clinical Research Center's Director and Coordinator to discuss community forums on MH meds. Supportive of "open access".
- Continue working with "Five Families" to engage criminal justice system on MH issues including access to medications. Next steps include a statewide conference on CJ/MH issues in Q3 '04.
- Continue supporting PHDAE on implementing a CNS type intervention. Meetings being scheduled for 2<sup>nd</sup> week of June to present CNS to state DOH and Medicaid offices and advocates. In addition, supporting PHDAE and Contract Advocacy Coordinator on P&T processes...First Health recently contracted to implement PDL.

#### Alaska (Session Completed) (Visited May 12-15)

ASAT "Battle Plan" developed for 2004 legislative session to secure FULL MH medication carve-out.

OUTCOME: Full MH Medication Carve-Out Legislation, proposed by AK Psychiatric Association, was removed in House Rules. "Medically Necessary" (Dispense as Written) provision also did not get of the Senate. Currently, implementing SAT strategy with MPA and PHDAE in preparation for the September P&T Meeting that will review anti-depressants and ADHD medications. Alaska appears to have contracted with CEBP and has postponed the P&T meeting, originally scheduled for May to allow for CEBP to present its review of Anti-Depressants. Planning a MH Medication Forum with legislators, state budget staff and advocates prior to P&T.

- Participated in three "Recovery and Choice" coalition meetings (4/23/04, 4/30/04, 5/7/04) led by NAMI AK and AK Psychiatric Association. Other members include AK MH Board, Provider's Association, and Criminal Justice to fight for open access to MH medications, MH funding, CJ efforts, parity, and, children's MH. Coalition members worked in coordination to testify, call and/or write legislators on MH funding and access to MH meds. Coalition is now preparing for September P&T meeting. Received and unsolicited request from coalition to have clinical/cost data on anti-depressants and ADHD meds presented by Outcomes Liaison...currently scheduling

August. Briefed the Coalition on CEBP and implications of Multi State Purchasing Pool. Coalition members concluded they would send letters of concern to appropriate entities/individuals. Met with Legislative Chair, AK Psych Assoc to further develop coalition.

- Attended and participated in NAMI AK State Conference and First Annual "WALK". Met with President, Board Members, Legislative Coordinator, and, Executive Director to continue development of a more education, funding and advocacy strategy. Access to MH meds was key topical/discussion item. Supported Kathy Conkrite (Walter Conkrite's daughter) as keynote speaker on depression (supported utilization of anti-depressants... good speaker).
- Met with key members of criminal justice system including AK MH Board Executive Director, Anchorage Police CIT Director and Anchorage MH Court to discuss replicating "Partners in Crisis". Strong potential... will continue to support efforts.
- Met with AK Disability Law Center to discuss joining coalition and developing strategies to ensure patient protections. Concept revolves around incorporating aspects of "Environmental Impact Studies" that would require a further analysis of measuring health outcomes and fiscal impacts (unintended consequences) of any legislation or administrative rule that would cut access to MH medications and health services.
- Developing relationship with AK AAFP's Executive Director and Legislative Chair. Held phone conversations... brokered by Patty Conroy, PAL.
- Continuing efforts to support PHDAE to coordinate efforts with AK Pysch Assoc.'s Leg. Chair to support implementation of CNS with Department of Health Social Services (HSS). Also working with PHDAE and MPA to support the creation of an advisory committee for HSS on MH medications (specifically for Atypicals) to support an administrative protection.
- Working with PR Firm to implement PR efforts for Lilly and general MH/prescription drug issues including supporting media efforts with product launches, issues including hyperglycemia/diabetes, importation, utilization/dissemination of "Library" materials, preparation to discuss new Medicare bill implications, promote Lilly Answers, and other efforts.

#### Other

- Participated in and/or co-led WA, OR, AK, and, HI State Action Team meetings.
- Participating in Lilly MH Summit/Advocacy Conference Planning Group meetings...supporting agenda development.
- Participating in Lilly strategy efforts to rebuff "Center for Evidence Based Policy"... supporting PAL efforts.
- Participating in Multicultural Advisory Board Development with Cymbalta Brand including Asian Pacific Islander representation. Developing relationship and objectives with Courtney Lang to engage Asian/Pacific Islander, African American, Latino, and, Native American National Mental Health Organizations.
- Hosted Patty Conroy, PAL, and Stephen Loaiza who met with Peter Lukevich, Executive Director, and Judge Mark Chow, State Co-Chair, to discuss potential development of a "Partners in Crisis" in Pennsylvania.
- Met with NAMI Regional Director to discuss "state of the states" (WA, OR, HI, AK).
- Met with new OR/AK DM, Carsten Brunn, to update on SAT efforts in each state and value of Lilly PAC.
- Met with new WA/OR DOC AE, Dane Roberts, to discuss strategies.
- Participated in SGA Multi-State Purchasing Pool Conference Call.
- Participated in SGA Compliance and LGO Conference Call.
- Participating in PAL conference calls.
- Made two PAC Presentation to North Seattle Neuro and Portland Neuro...secured new members and few who upgraded.

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA

SCA  
Plaintiff(s)

COURT  
3-7-08

v. Eli  
Defendant(s)

744  
CASE NO. 06-5630 C

NOTE FROM THE JURY ~~OR~~

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Your Honor:

I OVERHEARD A PHONE CONVERSATION DISCUSSING  
EVIDENCE PRESENTED TODAY, APPARENTLY IT WAS A  
REPORTER FOR ADN (?) I ONLY HEARD A SMALL  
AMOUNT BUT IT WAS NEGATIVE.

DEMIS JUMP # 1  
Jury Foreperson

RESPONSE FROM JUDGE TO JURY

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Jurors:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Judge

J-265 950-00

2nd 09/21/03

3/20/03

• If blood monitoring is recommended for all Schizophrenic  
Pt's, Why didn't you start doing it until 1996?

of a patient on Sypress developed  
diabetes if you took them off would  
glucose levels go back down

06-5630 C

7706950-00

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA  
CASE NO. 12-10000  
NOTICE FROM THE JURY

If a patient on Zyprexa developed diabetes if you took them off would glucose levels go back down?

Dr. [unclear]  
JAN06-5680C

Does this create a problem?

RELEASE FROM JURY TO JURY

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA

\_\_\_\_\_  
Plaintiff(s)

v.

\_\_\_\_\_  
Defendant(s)

CASE NO. 3AN06-5638c

NOTE FROM THE JURY

Date: 3/20/08 Time: 1035

Your Honor:

The call note w/ Pam Engle and  
Dr. Grant are physicians at the  
health center I work at. (Anch. Neighborhood  
Does this create a problem? Health ctr.)

Lisa Sand

Jury Foreperson

RESPONSE FROM JUDGE TO JURY

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Jurors:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Judge

~~Ask~~

Can you provide the name

for Aripiprazole + Ziprasidone

Such as olanzapine is Zyprexa

#2  
Wallace

Does Dr. Brancati feel the working table was accurate?

What is known about why mentally ill individuals have a greater propensity to use force as opposed to general population.

12008950-070

3/6/08

What is known about why mentally ill individuals have a greater propensity to weight gain as opposed to general population.

Did Lilly's study address weight gain & its long term affects

Does the doctor agree with the statement of the verbatim's read by Lilly in exhibit 1111?

What does the 2003 PDR of Lilly state? Is it 2 years?  
Can you read it to us?

06-0563

3/10/03  
John #14

more money (exhibit 480)

- Does the doctor agree with the statements of the verbatims used by Lilly in Exhibit 1111?
- What does the 2003 PDR Warnings label state for Zyprexa?  
Can you read it to us?

}

117

Ms. Walker

06-05630CI

1. Did you change your testing because of concerns about all atypicals or specifically due to concern about Zyprexa.

#2

Ms. Wallace

06-050302

(5)

IN YOUR 1<sup>ST</sup> 10<sup>TH</sup> YEAR PRACTICE WITH <sup>SALE</sup> OR <sup>IT</sup>  
IT OFTEN THAT YOU HAVE UNDERWEIGHT PATIENTS? WHAT IS ESTIMATED PERCENTAGE?

Are the findings of a consensus report  
binding (final word) or advisory?

- When referencing the PDR, what section does the doctor first read, when looking to prescribe to a patient?
- In what order of importance does the doctor read or reference the sections of the label in the PDR.
- Why did the doctor not place restrictions on the use of Zyprexa at API?
- Does API have a peer review (provider reviewing other provider records for accuracy + proper treatment plans) program?
  - If so, have the risks of side effects of Zyprexa been ~~brought~~ addressed prior to 2004?
  - If not, have the risk of side effects of Zyprexa been addressed prior to 2004 at any provider meetings?

~~#4~~

May we request a time line be submitted to the jury for all the documents?

The time line would be helpful if we can see the exhibit numbers & title of the documents in date order on the time line.

What percentage of your patients treated  
at A.P.I already have diagnosis  
of diabetes or symptoms of?

34010  
20-510  
Office Phone Number

Bl. Bennett  
Assistant Manager

APPROVAL BY CLERK

Permit for the extra coverage requested above  GRANTED  DENIED

Items are not to be photocopied

3/1/10

Mace Pro

APPLICATION FOR COURT APPROVAL OF MEDIA COVERAGE

G. 403 A

Case Name: Stots v. Lilly & Co.

Case Number: JAN-06-05630 CI Judge: DINOWITZ

Requesting Organization: KTHU Channel 2 News

Names of all media representatives who may attend the proceeding:

Mike Nederbrock  
Angelica Blumhans

Type of Coverage:

- Television  Still Camera  Radio  
 Sketch Artist  Audio

Proceeding to be covered: TRIAL  
(Trial, Motion, Appellate Argument, etc. If coverage of activity during recesses is requested, include "recesses.")

Dates for which coverage is requested: March 5, 2008 / Duration

I request permission to cover the above proceeding pursuant to Administrative Rule 50 as promulgated by the Alaska Supreme Court. I understand and agree to abide by the provisions of that rule and Administrative Bulletin No. 45.

If consent of the parties is required under Administrative Rule 50(c), the consents are attached.

5 Mar 08 Date [Signature] Signature of Media Representative  
762-9200 Office Phone Number Ed Bennett Print Name and Title  
605 print manager

APPROVAL BY COURT

Permission for the media coverage requested above is:  GRANTED  DENIED

Reason for denial or special restrictions imposed: Juries are not to be photographed

3/5/08 Date Maile Phe Judge / Clerk of the Appellate Courts

Distribution: (1) Media File; (2) Court File (if applicable); (3) Media Representative

Case Name: ELI LILLY RENDER MAX  
Case Number: 3AN-06-05630C1 Judge: RENDER MAX

Requesting Organization: THE NEW YORK TIMES (NO3A)

Names of all media representatives who may attend the proceeding:  
JOSHUA BERWICH

Type of Coverage:

- Television  Still Camera  Radio  
 Sketch Artist  Audio

Proceeding to be covered: JURY TRIAL  
(Trial, Motion, Appellate Argument, etc. If coverage of activity during recesses is requested, include "recesses.")

Dates for which coverage is requested: 3/5/2008

I request permission to cover the above proceeding pursuant to Administrative Rule 50 as promulgated by the Alaska Supreme Court. I understand and agree to abide by the provisions of that rule and Administrative Bulletin No. 45.

If consent of the parties is required under Administrative Rule 50(c), the consents are attached.

3/5/2008  
Date

[Signature]  
Signature of Media Representative

Office Phone Number

JOSHUA BERWICH - FREELANCE PHOTOGRAPHER  
Print Name and Title

APPROVAL BY COURT

Permission for the media coverage requested above is:  GRANTED  DENIED

Reason for denial or special restrictions imposed:

3/5/08  
Date

Mark Render  
Judge / Clerk of the Appellate Courts

Distribution: (1) Media File; (2) Court File (if applicable); (3) Media Representative

Case Name: Wynn v. Sullivan v. O.

Case Number: JAN-06-05630 CI Judge: DIMONTE

Requesting Organization: KTHU Channel 2 News

Names of all media representatives who may attend the proceeding:

Mike Nederbrock

Angela Blanchard

Type of Coverage:

Television  
 Sketch Artist

Still Camera  
 Audio

Radio  
 \_\_\_\_\_

Proceeding to be covered: TRIAL

(Trial, Motion, Appellate Argument, etc. If coverage of activity during recesses is requested, include "recesses.")

Dates for which coverage is requested: March 5, 2008 / Duration

I request permission to cover the above proceeding pursuant to Administrative Rule 50 as promulgated by the Alaska Supreme Court. I understand and agree to abide by the provisions of that rule and Administrative Bulletin No. 45.

If consent of the parties is required under Administrative Rule 50(c), the consents are attached.

517000  
Date

[Signature]  
Signature of Media Representative

762-9200  
Office Phone Number

Ed Bennett  
Print Name and Title

Business Manager

APPROVAL BY COURT

Permission for the media coverage requested above is:  GRANTED  DENIED

Reason for denial or special restrictions imposed: \_\_\_\_\_

Juries are not to be photographed

3/5/08  
Date

[Signature]  
Judge / Clerk of the Appellate Courts

Distribution: (1) Media File; (2) Court File (if applicable); (3) Media Representative

Jurors seated for trial before Judge \_\_\_\_\_ in the following matter:

IO.: \_\_\_\_\_  
 TITLE: \_\_\_\_\_  
 vs. \_\_\_\_\_

DATE: \_\_\_\_\_  
 In-Court Deputy: \_\_\_\_\_  
 CourtRoom: \_\_\_\_\_

2 William	Blaron Van Ariza	Pamela Stepal	Lisa Send	Cheryl Feuge
A2/14	A1/13	12	11	10
3 Eger Mayer	Donald Glatzer	Gretchen Flussik	Dan Seis	Jennifer Mitchell
9	8	7	6	5
Misty Steed	Regard Mayer Ross Bennett	Ross Bennett Joane Wallace	Dennis Jump	
4	3	2	1	

Peremptory Challenges:

2	3	4
6	7	8
10	11	12

Defense

1	2	3	4
5	6	7	8
9	10	11	12

PLAINTIFF ATTORNEY: \_\_\_\_\_

DEFENSE ATTORNEY: \_\_\_\_\_