

EXHIBIT B

(Plaintiffs' Response in Opposition to AstraZeneca's Motion in Limine to Exclude Evidence and Argument about Ghostwriting)

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

- - -

IN RE: SEROQUEL : CASE NO.
PRODUCTS LIABILITY :
LITIGATION : 6:06-md-01769-ACC-DAB
:
MDL Docket No. 1769:

- - -

November 1, 2007

- - -

Videotape deposition
of JAMIE A. MULLEN, M.D. held in the
offices of Golkow Technologies, Inc.,
One Liberty Place, 51st Floor, 1650
Market Street, Philadelphia, Pennsylvania
19103 commencing at 9:07 a.m., on the
above date, before Linda Rossi Rios, RPR,
CCR and Notary Public.

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C O N F I D E N T I A L

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Golkow Technologies, Inc.
One Liberty Place, 51st Floor
1650 Market Street
Philadelphia, Pennsylvania 19103
877.370.3377

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1 any need for it, because it was largely a
2 project delivery and project management
3 database. And secondly, is my
4 understanding was that it was difficult
5 for a layperson to use.
6 Q. And you were a layperson?
7 A. In project management, I was
8 considered a layperson, yes.
9 Q. Yes.
10 Okay. Then we have several
11 bullet points. Kasper, is that a Dr.
12 Kasper?
13 A. Yes, it is.
14 Q. Sir, I've taken depositions
15 of AstraZeneca PSS members and I've
16 reviewed their call notes.
17 Have you ever reviewed call
18 notes of an AstraZeneca sales
19 representative at any time?
20 A. I don't recall that I have,
21 no.
22 Q. Okay. I've seen, and we'll
23 show at trial if need be, call notes
24 indicating that the sales reps utilize

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1 the Kasper -- a Kasper reprint in their
2 detailing activities.
3 Do you know anything about
4 that?
5 A. I don't know about the use
6 of any manuscript on the ISSs, by the
7 PSSs.
8 Q. But you know what you do
9 know, though, you do know that part of
10 the purpose of getting these studies
11 published was so that the marketing
12 companies could utilize the studies in
13 their marketing activities.
14 You know that. Right?
15 MR. GOODELL: Object to
16 form.
17 THE WITNESS: They could be
18 used to support their marketing
19 activities, yes.
20 BY MR. ALLEN:
21 Q. Yes, sir. And I think
22 you're getting close.
23 And you knew in your role,
24 the jury will see your resume, they will

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1 get to look at your business card, you
2 knew that part of the reason that you
3 hired Parexel medical marketing services
4 company and engaged in activities to get
5 manuscripts published was in order to
6 utilize that information in your
7 marketing of Seroquel. True?
8 MR. GOODELL: Object to
9 form.
10 THE WITNESS: Some of the
11 manuscripts that were assisted by
12 Parexel were used in marketing
13 activities.
14 BY MR. ALLEN:
15 Q. Yes, sir.
16 I know they were used. And
17 see, I'm -- I tell you, I'm kind of a
18 student of the English language.
19 So you've now agreed that
20 some of the articles that were published
21 with the assistance of AstraZeneca were
22 used in marketing activities. Correct?
23 MR. GOODELL: Object to
24 form.

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1 THE WITNESS: With the
2 assistance --
3 BY MR. ALLEN:
4 Q. Sir?
5 A. With the assistance of
6 Parexel.
7 Q. With the assistance of
8 Parexel.
9 Because you've agreed some
10 of them have been used in marketing
11 activities. Correct?
12 A. Correct.
13 Q. The word "plan," what's a
14 plan?
15 A. A plan is an understanding
16 of the future and how we're going to get
17 there.
18 Q. Yeah, that's good.
19 AstraZeneca had a
20 publication plan, did they not?
21 A. AstraZeneca as a whole did
22 not have a publication plan, no.
23 Q. I'm sorry. Tell the jury,
24 see, I'm here on Seroquel, and I keep on

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1 forgetting I've got to do a better job.
2 Let me see if I can rephrase the
3 question.
4 Did the people that were
5 involved with AstraZeneca's product
6 Seroquel have a publication plan for
7 Seroquel?
8 MR. GOODELL: Object to the
9 colloquy and the question.
10 THE WITNESS: Yes, there was
11 a publication plan for Seroquel.
12 BY MR. ALLEN:
13 Q. That's right.
14 And the plan was put in
15 place in order to help effectuate
16 strategy that the marketing department
17 had for Seroquel. Correct?
18 A. Part of the plan was to help
19 provide data that would be used by the
20 marketing companies.
21 Q. Yeah. So you were
22 helping -- so the publication plan helped
23 effectuate marketing strategies.
24 Correct?

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1 MR. GOODELL: Object to
2 form.
3 THE WITNESS: I don't know
4 about marketing strategies. I
5 wasn't responsible for developing
6 them. I have no idea what fed
7 into them.
8 BY MR. ALLEN:
9 Q. Well, the publications
10 helped support the key messages for
11 Seroquel. Right? Isn't that right?
12 A. Data from clinical trials
13 was used to support, as it's properly
14 done, to support messages.
15 Q. So just for the jury's
16 understanding, remember things that
17 doctors learn, one of the sources is
18 publication in journals, in scientific
19 and medical journals. Right? It's one
20 of their sources?
21 A. And you recall, too, that I
22 objected to that diagram.
23 Q. Sir, I recall your
24 objection. And we're going to let the

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1 judge rule on that and that's just the
2 way the system is?
3 Listen to my question.
4 You recall that you agreed
5 that one of the sources of doctors'
6 knowledge was publications in journals.
7 You recall agreeing to that,
8 didn't you?
9 A. I don't agree to that
10 diagram. I do agree to the fact that
11 publication journals do provide
12 information into their knowledge base,
13 yes.
14 Q. Yes.
15 And now you can tell the
16 jury that in the published literature, it
17 was part of a publication plan to support
18 Seroquel marketing at AstraZeneca.
19 Correct?
20 MR. GOODELL: Object to
21 form.
22 THE WITNESS: Again, I said
23 before that I don't know what went
24 into the marketing plan. I can

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1 say that the publication plan was
2 developed to develop a strategy
3 for publications. And some of
4 those publications were used to
5 support marketing.
6 BY MR. ALLEN:
7 Q. And the plan, as you said, a
8 plan.
9 And you agree there's a
10 publication plan for Seroquel?
11 A. Yes.
12 Q. And a plan is where we want
13 to be in the future I think is one of the
14 things you said as a definition. Right?
15 A. That's correct.
16 Q. And one of the parts of your
17 plan at AstraZeneca was to have material
18 published that would support the
19 marketing of Seroquel. True?
20 A. That would support some of
21 the messages in marketing, yes.
22 Q. Yes, sir. Thank you very
23 much. Very simple. Thank you very much.
24 MR. GOODELL: Object to the

<p style="text-align: right;">Page 597</p> <p>1 colloquy. 2 BY MR. ALLEN: 3 Q. Now, going on down here it 4 says on this Kasper deal, "RS" -- who's 5 RS? I bet I could figure it out. 6 A. Rod Sayce. 7 Q. Rod Sayce "has received a 8 draft of the study report from Professor 9 Kasper and will forward to JM." 10 That's who? 11 A. That's me. 12 Q. So the doctors who are 13 involved in the studies forward them to 14 AstraZeneca for comment and thinking. 15 Right? 16 A. I don't know why it was 17 forwarded to me in this particular 18 context. It may have been because I was 19 a co-author. It may have been because I 20 was one of the reviewers on that review 21 team. 22 Q. Okay. So by that answer and 23 we'll -- whether you're a co-author or 24 not, your answer concedes that</p>	<p style="text-align: right;">Page 599</p> <p>1 A. That's correct. 2 Q. "Provide a data gap analysis 3 for publications so that publication of 4 ISSs can be prioritized." 5 So it looks like to me 6 Parexel is analyzing some of the data to 7 be utilized by authors of investigator 8 sponsored studies; is that right? 9 A. No, that's not correct. 10 Q. What is a data gap analysis? 11 A. Parexel looked at not the 12 clinical data but looked at the existing 13 literature and determined what was needed 14 in the literature. 15 Q. Okay. Thank you very much, 16 sir. 17 Oh, so part of y'all's role, 18 you at AstraZeneca along with your 19 medical marketing services company, 20 Parexel, helped determine what y'all felt 21 was needed in the literature? 22 MR. GOODELL: Object to 23 form. 24 BY MR. ALLEN:</p>
<p style="text-align: right;">Page 598</p> <p>1 AstraZeneca would have, as part of its 2 review team for published articles, 3 people that's name would not appear on 4 the paper. 5 In other words, the review 6 team did not consist of all the authors, 7 did it? 8 A. The review team did not 9 consist of authors, just as review teams 10 at journals do not have authors on them. 11 Q. Thank you, sir. 12 "Action," and we're going to 13 get through this. "Action RSIPXL." 14 What is that? Parexel -- I 15 can't even pronounce that word. 16 That's Parexel medical 17 marketing services, but -- 18 A. I don't know what the RSI 19 refers to. 20 Q. Okay. And then action for 21 PXL. And I think there's a bibliography 22 or something. 23 But PXL we've agreed is 24 Parexel. Right?</p>	<p style="text-align: right;">Page 600</p> <p>1 Q. Is that what you just said? 2 MR. GOODELL: Object to 3 form. 4 THE WITNESS: It's not what 5 I said. 6 BY MR. ALLEN: 7 Q. Well, I thought I heard the 8 phrase that -- on this data gap analysis 9 there would be an evaluation to determine 10 what was needed in the literature. 11 Did I not hear that phrase? 12 A. You did say that -- I did 13 say that. 14 Q. Yes, sir. 15 And so who was trying to 16 determine what was "needed in the 17 literature"? 18 A. Parexel generated a data gap 19 analysis. I don't know what the process 20 was for subsequently looking at that 21 analysis, but Parexel did not determine 22 the priorities. 23 Q. No. What Parexel did is 24 what you testified to under oath.</p>

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1 They helped evaluate "the
2 gaps in the literature." Right?
3 A. That's correct.
4 Q. Okay. By the way, you know
5 what, in all fairness to AstraZeneca,
6 what y'all are doing here with Parexel in
7 the medical marketing services, your
8 competitors were doing the same thing,
9 weren't they?
10 MR. GOODELL: Object to
11 form.
12 BY MR. ALLEN:
13 Q. Sir?
14 A. I have no idea what the
15 competitors are doing.
16 Q. I mean, Pfizer's doing it
17 with Geodon; Bristol-Myers is doing it
18 with Abilify; Janssen is doing it with
19 Risperdal; and Eli Lilly is doing it with
20 Zyprexa. Is that right?
21 MR. GOODELL: Object to
22 form.
23 THE WITNESS: As I said
24 before, I have no idea what the

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1 other companies are doing.
2 BY MR. ALLEN:
3 Q. So you have no idea.
4 Is your testimony under
5 oath, your right hand, is you have no
6 idea whether or not the competitive
7 companies of second generation
8 antipsychotics have publication plans and
9 utilize outside consulting services to
10 help author and produce and publish
11 manuscripts in the literature? Is that
12 your testimony?
13 MR. GOODELL: Object to
14 form.
15 THE WITNESS: You didn't ask
16 me that before. Are you asking me
17 that now?
18 BY MR. ALLEN:
19 Q. Yes, sir.
20 A. I would imagine they do.
21 Q. Why would you imagine they
22 do?
23 A. Because AstraZeneca has done
24 that.

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1 Q. So really what the jury sees
2 in Exhibit 29, this is just common
3 everyday industry practice, isn't it?
4 MR. GOODELL: Object to
5 form.
6 THE WITNESS: To look at
7 gaps in the knowledge base and try
8 to fill them? Yes.
9 BY MR. ALLEN:
10 Q. Sir, I'm sorry.
11 It's common industry
12 practice for pharmaceutical companies to
13 hire medical marketing services to assist
14 them in the implementation of publication
15 plans, to have manuscripts published in
16 the scientific and medical literature; is
17 that true?
18 MR. GOODELL: Object to
19 form.
20 THE WITNESS: Again, I don't
21 know what general practice is.
22 AstraZeneca contracted with
23 Parexel, not to provide medical
24 marketing but to provide

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1 assistance with editorial services
2 on the BEST team.
3 BY MR. ALLEN:
4 Q. You think the other -- do
5 you think AstraZeneca is out there by
6 themselves in this conduct in this
7 regard, or do you believe or know whether
8 or not the competitors in the
9 pharmaceutical companies -- in
10 pharmaceutical industries do the same
11 thing or approximately the same thing?
12 Do you know?
13 A. I don't know whether they do
14 the same thing.
15 Q. Okay. You don't know.
16 And you're -- how long have
17 you been employed by AstraZeneca or at
18 Zeneca?
19 A. Nine years.
20 Q. And you have been involved
21 and you are paid money by the
22 pharmaceutical companies, and you can't
23 tell us -- and you're a board certified
24 psychiatrist. Right?