

EXHIBIT

43

1 IN THE SUPERIOR COURT
2 OF THE STATE OF DELAWARE
3 IN AND FOR NEW CASTLE COUNTY

4 IN RE:
5 SEROQUEL LITIGATION : MDL NO. 1769

6 :
7 THIS DOCUMENT RELATES:
8 TO ALL ACTIONS :

9 IN RE: : SUPERIOR COURT
10 RISPERDAL/SEROQUEL/ : OF NEW JERSEY
11 ZYPREXA LITIGATION : LAW DIVISION
12 : MIDDLESEX COUNTY
13 : CASE NO. 274

14 AIMEE DANIELS, : IN THE CIRCUIT
15 : COURT OF THE
16 V. : COUNTY OF ST. LOUIS
17 : STATE OF
18 ASTRAZENECA : MISSOURI
19 PHARMACEUTICALS, L.P. : 05CC-004759
20 ET AL. : DIVISION 6

21 SANTOS MALDANADO, : IN THE CIRCUIT
22 minor, by and through: COURT OF THE
23 his natural mother : COUNTY OF ST. LOUIS
24 and next friend, : STATE OF
LOUISE WILSON : MISSOURI
V. : 06CC-003930
JANSSEN PHARMACEUTICA: DIVISION 6
L.P., ET AL. :

25 - - -
26 May 9, 2007

27 - - -
28 C O N F I D E N T I A L
29 - - -

30 30(b)(6) deposition of ASTRAZENECA
31 PHARMACEUTICALS, L.P., by and through JON
32 DOWLING.

33 - - -
34 Golkow Technologies, Inc.
Suite 760
1880 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103
877.370.3377

1 LENA BARNETT, minor, : IN THE CIRCUIT
 by and through her : COURT OF THE
 2 natural mother and : COUNTY OF ST. LOUIS
 next friend, : STATE OF
 3 MARY BARNETT : MISSOURI
 V. : 06CC-000333
 4 JANSSEN PHARMACEUTICA: DIVISION 6
 L.P., ET. AL. :
 5 -----
 6 LOIS BAER, as : IN THE CIRCUIT
 Representative of the: COURT OF THE
 Estate of MATTHEW : COUNTY OF ST. LOUIS
 7 BAER, Deceased : STATE OF
 V. : MISSOURI
 8 JANSSEN PHARMACEUTICA: 06CC-002401
 L.P., ET. AL. : DIVISION 6
 9 -----
 10 TERRY STRINGER : IN THE CIRCUIT
 : COURT OF THE
 V. : COUNTY OF ST. LOUIS
 : STATE OF
 11 JANSSEN PHARMACEUTICA: MISSOURI
 L.P., ET. AL. : 06CC-002173
 : DIVISION 6
 12 -----
 13 STEPHEN ROSAS : IN THE CIRCUIT
 : COURT OF THE
 V. : COUNTY OF ST. LOUIS
 14 : STATE OF
 15 ASTRAZENECA : MISSOURI
 PHARMACEUTICALS, : 05CC-004755
 L.P., ET.AL. : DIVISION 6
 16 -----
 17 PAMELA MOORE, : IN THE CIRCUIT
 : COURT OF THE
 V. : COUNTY OF ST. LOUIS
 : STATE OF
 18 JANSSEN PHARMACEUTICA: MISSOURI
 L.P., ET. AL. : 05CC-006375
 : DIVISION 6
 19 -----
 20
 21
 22
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1 KATHRYN SCHULTZ, : SUPERIOR COURT OF
 ET. AL. : THE STATE OF
 2 : CALIFORNIA IN AND
 V. : FOR THE COUNTY OF
 3 : SAN FRANCISCO
 ASTRAZENECA : CGC-06-453676
 4 PHARMACEUTICALS, :
 L.P., ET.AL. :
 5 -----
 6
 7 30(b)(6) deposition of ASTRAZENECA
 8 PHARMACEUTICALS, L.P., by and through JON
 9 DOWLING, taken pursuant to notice, was
 10 held at the Four Seasons Hotel,
 11 Philadelphia, Pennsylvania, commencing at
 12 9:00 a.m., on the above date, before
 13 Linda Rossi Rios, RPR, CSR and Notary
 14 Public.
 15 - - -
 16
 17
 18
 19
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 21
 22
 23
 24

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 15
 16
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 18
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2 INDEX
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5 Testimony of: JON DOWLING

6 By Mr. Smith 8
7

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9 EXHIBITS
10 - - -

11 NO.	DESCRIPTION	PAGE
12 Dowling-1	AstraZeneca LP and AstraZeneca Pharmaceuticals LP's Cross-Notice of Rule 30(b)(6) Depositions	11
15 Dowling-2	Resume	75

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24

1 (It is hereby stipulated and
2 agreed by and among counsel that
3 sealing, filing and certification
4 are waived; and that all
5 objections, except as to the form
6 of questions, be reserved until
7 the time of trial.)
8 - - -

9 JON DOWLING, after having
10 been duly sworn, was examined and
11 testified as follows:
12 - - -

13 EXAMINATION
14 - - -

15 BY MR. SMITH:

16 Q. Good morning, Mr. Dowling,
17 nice to see you again. You understand
18 that -- first, would you please state
19 your name for the record?

20 A. Jon Dowling.

21 Q. Your address?

22 A. 2624 Bittersweet Drive,
23 Wilmington, Delaware is 19840.

24 Q. Your place of employment?

1 - - -
2 DEPOSITION SUPPORT INDEX
3 - - -
4

5 Direction to Witness Not to Answer
6 Page Line Page Line Page Line
7 42 14
8 56 9
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10 Request for Production of Documents
11 Page Line Page Line Page Line
12 None
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14
15 Stipulations
16 Page Line Page Line Page Line
17 8 1
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19
20 Question Marked
21 Page Line Page Line Page Line
22 None
23
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1 A. AstraZeneca.
2 Q. In Wilmington?
3 A. Wilmington, Delaware.
4 Q. You understand you are under
5 oath today?
6 A. Yes.
7 Q. And have you been deposed
8 before?

9 A. No, I have not.

10 Q. I'm going to ask you
11 questions, they may not always be clear
12 to you. If they're not, would you please
13 stop and say I don't understand that or
14 ask me to rephrase the question, I'll be
15 happy to do that? I don't want you to
16 answer the question if you don't
17 understand it. We want the answers to
18 match up with the questions.

19 We'll take a break at any
20 time you need one. Otherwise, we'll take
21 one about once an hour. I'll need you to
22 answer questions verbally. We all have a
23 habit of shaking our head or saying
24 uh-huh or uh-uh, and it doesn't come

1 across very clearly in the record. So if
2 you'll say yes or no, and you may need to
3 explain that, but if you'll give a yes or
4 no, then that would help.

5 So if you answer my
6 question, I'm going to assume that you're
7 telling the truth, giving me the whole
8 answer and you understood the question.
9 Is that fair?

10 A. Yes.

11 Q. My name is Kenneth Smith. I
12 represent a number of plaintiffs in the
13 litigation. I'm taking this on behalf of
14 the plaintiffs in the MDL. I'm also pro
15 hoc'd into the Delaware litigation and
16 into the New Jersey litigation.

17 MR. TORREGROSSA: Can I just
18 get the agreement from the Sheller
19 folks that they've signed on to
20 the stipulation before you get
21 into substance here? If you guys
22 could state on the record that you
23 agree to be bound by the MDL
24 stipulation, whatever final

1 Pharmaceuticals LP's Cross-Notice
2 of Rule 30(b)(6) Depositions, was
3 marked for identification.)

4 - - -
5 (Interruption.)
6 - - -

7 THE WITNESS: This document
8 you handed me, the actual things I
9 would be familiar with would be I
10 guess it's called Exhibit B. I
11 recall reading this. This looks
12 more like what I've seen.

13 BY MR. SMITH:

14 Q. Exhibit B being the letter
15 from Mr. Magaziner to Mr. Allen?

16 A. I believe so. I don't
17 recall seeing the first one. They look
18 very similar. Definitely haven't seen
19 the stuff in the middle, Exhibit A.

20 Q. Why don't we look at Exhibit
21 B, on page 3 there is a list of databases
22 or systems. Could you, or your counsel
23 if you prefer, go through and check off
24 on the record the databases that we're

1 form --

2 MR. SHELLER: Subject to
3 Judge Garruto's, whatever he does
4 with it.

5 MR. MELLON: And Tom Mellon
6 agrees as well.

7 MR. SHELLER: That's Judge
8 Garruto for New Jersey.

9 MR. SMITH: Do you want to
10 identify yourselves for the
11 record?

12 MR. TORREGROSSA: Brennan
13 Torregrossa for AstraZeneca as
14 well as for the witness.

15 MS. BALAKHANI: Liz
16 Balakhani for AstraZeneca as well
17 as for the witness.

18 BY MR. SMITH:

19 Q. Mr. Dowling, did you receive
20 a copy of the cross notice for this
21 deposition? Let me mark it as Dowling-1.
22 - - -

23 (Exhibit Dowling-1,
24 AstraZeneca LP and AstraZeneca

1 going to talk about today?

2 A. My familiarity on this list
3 going down would be SAP, Touchstone,
4 Compass, NICE, MACS, KNOWBOL, ICON,
5 SnapPharma, AZER, ViewPoint,
6 LectureBureau Express, PREP and
7 Northstar.

8 Q. And SnapPharma should be a
9 P-H instead of an F?

10 A. Yes, and MAX should be
11 M-A-C-S.

12 Q. Do you know what the other
13 databases are that are listed there?

14 A. I do not know -- let's see.
15 I heard of CLINTRACE and I've heard the
16 name IRIS. I'm not familiar with the
17 others. The two I mentioned I'm not
18 familiar with.

19 Q. Thank you.

20 MR. TORREGROSSA: Could we
21 just get counsel for Lilly's
22 appearance and that she has agreed
23 to be bound by the situation?

24 MS. ALIABADI: Sara

1 Aliabadi, and I agree to be bound
 2 by the MDL stipulation.
 3 BY MR. SMITH:
 4 Q. Do you understand you've
 5 been designated as a corporate designee
 6 by AstraZeneca on certain topics for
 7 today?
 8 A. Yes, I do.
 9 Q. And did you agree to serve
 10 in that function?
 11 A. Yes, I did.
 12 Q. You understand that
 13 AstraZeneca is a defendant in this
 14 action?
 15 A. Yes, I do.
 16 Q. What is your current
 17 position with AstraZeneca?
 18 A. My position is senior
 19 manager, application maintenance for the
 20 Commercial Information Services and
 21 Solutions.
 22 Q. And when did you enter that
 23 position?
 24 A. I began this role on January

1 not include applications that did not
 2 involve databases, did it?
 3 A. That would be correct.
 4 Q. What are some of the
 5 applications that you work with that are
 6 not included on that list because they
 7 don't involve databases?
 8 A. Let me think about that.
 9 Web sites come to mind.
 10 Q. What is your involvement
 11 with Web sites?
 12 A. We ensure the operations are
 13 up and running, the systems supporting
 14 them, working with the -- to make sure
 15 they run.
 16 Q. What types of systems
 17 support the Web sites?
 18 A. Talking about Web site, they
 19 sit on a Web server. They allow you to
 20 access the Web site and to view the
 21 information on it.
 22 Q. Do you have more than one
 23 Web server? When I say you, I mean
 24 AstraZeneca.

1 1, 2006.
 2 Q. And what does that involve?
 3 A. My role as the application
 4 maintenance leader is to ensure the
 5 operations management of the systems that
 6 support Commercial are managed.
 7 Q. What do you mean by the term
 8 "applications"?
 9 A. Any system that may be used
 10 by the marketing and sales organization
 11 such as Compass, Northstar.
 12 Q. Some systems would involve
 13 databases?
 14 A. Yes.
 15 Q. But not all applications
 16 would involve databases. Is that
 17 correct?
 18 A. Correct.
 19 Q. So you're familiar with both
 20 database and nondatabase applications as
 21 identified just a minute ago?
 22 A. Yes, I am.
 23 Q. Now, those were databases
 24 that were in that list. That list did

1 A. Yes.
 2 Q. How many Web servers does
 3 AstraZeneca have to your knowledge?
 4 A. I don't have an exact
 5 number. I know it's more than one. I
 6 really don't know that number off the top
 7 of my head.
 8 Let me -- when I say
 9 database, and I want to make sure it's
 10 clear, the database -- there would not be
 11 a Web -- like a database that would
 12 always collect information. It's a view
 13 site. Some Web sites do have databases.
 14 Q. That was my next question.
 15 A. Okay.
 16 Q. Who would be the best person
 17 to ask about AstraZeneca's Web servers,
 18 is there an overall person in charge of
 19 that?
 20 A. Again, I don't know the
 21 count. I know where they are. I know,
 22 you know, potentially which site might be
 23 on which, but I don't have the exact
 24 count.

1 Q. Is there a person who would
 2 have more knowledge about Web site
 3 servers than you do for AstraZeneca?
 4 A. Yes. There probably would
 5 be.
 6 Q. Who would be the person you
 7 would ask if you wanted to know more
 8 about the Web servers?
 9 A. The first person to ask
 10 would be Josh Bengal.
 11 Q. Could you spell that,
 12 please?
 13 A. J-O-S-H, B-E-N-G-A-L.
 14 Q. Where does he work?
 15 A. AstraZeneca.
 16 Q. How about third parties or
 17 outside people who would work on the --
 18 be involved with the Web servers, what
 19 company or people would do that?
 20 A. We have our -- we have an
 21 environment called EBI which posts our --
 22 what we call external Web servers. They
 23 would have -- you know, be able to say
 24 which one they're on.

1 Q. Are all of your Web servers
 2 external?
 3 A. No, sir.
 4 Q. What internal Web servers do
 5 you have?
 6 A. We have what we call
 7 Intranet sites. I don't know, like I
 8 said, the number of ones we would have
 9 supporting Intranet sites.
 10 Q. Could you tell me what types
 11 of Internet sites you would have?
 12 A. Intranet.
 13 Q. Intranet. Thank you.
 14 A. We have -- not necessarily
 15 supported by me. There is the -- what we
 16 call the AstraZeneca home page. We see
 17 information about AstraZeneca internally,
 18 I can find information, go to HR
 19 information, all the documents, anything
 20 about the company, information like that.
 21 There's -- in general, that's the one we
 22 use, I would use on a daily basis. It's
 23 not something I would support.
 24 Q. What types of information

1 are contained on that server about the
 2 company?
 3 A. Example, the HR site. I can
 4 go in there and see information about our
 5 policies in terms of HR, in terms of how
 6 -- my vacation policy. I can see how
 7 much -- where the holidays are. I can go
 8 in and see -- we have a performance
 9 management process, I can see the
 10 documents and all the things associated
 11 with that and how to do the process.
 12 Q. What other types of
 13 information would be on -- what is the
 14 name of that server?
 15 A. I don't know the server
 16 name. It's the AstraZeneca home page.
 17 Q. Close enough. On that
 18 AstraZeneca home page, which is an
 19 Intranet server, what other types of
 20 information besides HR information are on
 21 that internal Web site?
 22 A. The home page would have
 23 information about the company. It would
 24 have information about events. It would

1 have information about -- you can
 2 actually link to a page where you could
 3 buy stuff, people internal selling. You
 4 wanted to sell a car, I could actually
 5 put it there. You could go to --
 6 different parts of the organization have
 7 their own -- they link to that to be able
 8 to go to like an IS Web site that talks
 9 about IS stuff and what we do.
 10 Q. By "IS" you mean?
 11 A. Information systems. I'm
 12 sorry. So I could go in and see, you
 13 know -- it's not very good. It just
 14 tells information about the IS groups and
 15 like --
 16 Q. Are you saying the system is
 17 not very good or your description of it
 18 is not very good?
 19 A. Both are. The system isn't
 20 very good. I don't go to the IS home
 21 site very often, there's not a whole lot
 22 of information there.
 23 Q. What types of information
 24 would be on the IS site?

1 A. I know there's a tips page.
2 If there is a person in the company, they
3 can go and get a tip on how to use e-mail
4 or Word or something like that.

5 Q. It would be like a help
6 button?

7 A. Yeah, basically. Very basic
8 help.

9 MR. TORREGROSSA: Mr.
10 Dowling, if you could wait until
11 the question is over because
12 sometimes the reporter has trouble
13 taking both down at the same time.

14 MR. SMITH: Thank you.

15 BY MR. SMITH:

16 Q. So can various information
17 systems be accessed through this home
18 page? Are they linked in some way?

19 A. No, they're not. I don't
20 know of any system that links off of that
21 page.

22 Q. I'm interrupting you. I
23 apologize. It's just information on
24 there about the information systems, is

1 please?

2 A. A-A-R-O-N-S-O-N, Aaronson.

3 Q. Who authorizes what goes on
4 that server or when changes can be made
5 to that server, would that be Mr.
6 Aaronson or somebody else?

7 A. I would look to Steve to
8 know that answer. I don't know.

9 Q. What about some of the
10 external Web servers, can you tell me
11 about the ones that you're familiar with?

12 A. We have brand servers. We
13 have --

14 Q. When you say brand --

15 A. I'm sorry, sites. Brand
16 sites.

17 Q. May I stop you there and ask
18 you to tell me what you mean by a "brand
19 site"?

20 A. Sure. Product --
21 AstraZeneca product site. We have a
22 breast cancer site.

23 Q. So the brand site for
24 AstraZeneca products would be all

1 that what you're saying, as opposed to
2 having links to the systems themselves?

3 A. Yes.

4 Q. So you have HR information
5 and you have some tips and general
6 information about IS. Anything else on
7 that internal site? A company directory
8 for example?

9 A. I can type in a person's
10 name and get a phone number.

11 Q. Any information about the
12 drug products that are sold by
13 AstraZeneca?

14 A. There may be. This is from
15 my usage of it. I don't tend to surf
16 around on that because it takes time.

17 Q. Who is responsible for
18 maintaining that server? Who would be
19 the manager for that server?

20 A. That area is in a different
21 organization called SPKS, and the
22 person's name I would think would be
23 Steve Aaronson.

24 Q. Could you spell that,

1 products or is there a separate site for
2 each product, for example, Seroquel?

3 A. There are separate sites.

4 Q. So there's a Seroquel brand
5 site?

6 A. Yes. I'm not sure of the
7 title right off the top of my head.

8 Q. And who would be responsible
9 for -- who would be the manager for the
10 Seroquel brand site?

11 A. Operationally I would. My
12 organization.

13 Q. Can you describe that site
14 for us and tell us what it contains?

15 MR. TORREGROSSA: Before you
16 do, this is not an area we've
17 designated Mr. Dowling to talk
18 about. You can continue inquiry
19 on his individual basis, but this
20 is not -- we're not prepared to go
21 forward on 30(b)(6) on Web sites.
22 I thought that was a separate
23 issue we had put to the side as
24 part of our negotiations.

1 MR. SMITH: I see it as --
 2 not to argue with that, but I see
 3 it as being related to IT in
 4 general, and I don't know of
 5 anybody else who has been
 6 designated there and maybe that is
 7 something we can talk about later,
 8 designating someone for that.

9 BY MR. SMITH:

10 Q. I don't want to go into
 11 great detail, but since you manage that,
 12 let me ask you this. First of all, can
 13 you give me a general description of the
 14 Seroquel brand site?

15 A. I really can't.

16 Q. What is its purpose?

17 MR. TORREGROSSA: Objection
 18 to form. You can answer.

19 THE WITNESS: I believe its
 20 purpose is to -- it's an external
 21 or Internet site to allow people
 22 to find out information about the
 23 product.

24 BY MR. SMITH:

1 we maintain the site, we make sure the
 2 server is running, the content is managed
 3 by the business.

4 Q. Now, do you know anything
 5 about whether the content on that site is
 6 FDA approved or not?

7 MR. TORREGROSSA: Objection
 8 to form. You can answer. Again,
 9 there are the sales folks that
 10 deal with the product information
 11 and who know what you're talking
 12 about, and there's the IT folks.
 13 I just want to make sure you
 14 understand that.

15 MR. SMITH: Sure. I'll try
 16 to keep it limited.

17 THE WITNESS: Could you
 18 repeat the question, please?

19 BY MR. SMITH:

20 Q. Would marketing have the --
 21 have input into that Seroquel Web site?

22 A. As I said, they would manage
 23 the content.

24 Q. Your answer is better than

1 Q. The server is an external
 2 server, is that what you're saying?

3 A. It's an EBI environment
 4 where our external servers are supported,
 5 yes.

6 Q. Is access available to
 7 anybody who is not an AstraZeneca
 8 employee?

9 A. Yes.

10 Q. What types of persons would
 11 have access to it?

12 A. It's an Internet site.

13 Q. Internet?

14 A. Yes. Meaning -- I would
 15 call that public. Anybody who knows the
 16 site could go to that site.

17 Q. So there would be
 18 information -- publicly available
 19 information about Seroquel would be
 20 available on this site?

21 A. Yes.

22 Q. Would that be something that
 23 marketing would have input into then?

24 A. Correct. To my knowledge,

1 my question.

2 Material or information that
 3 is posted on that Web site, after it's
 4 taken off the Web site, would it be --
 5 where would it be maintained or archived
 6 or stored?

7 A. Our Web sites in terms of
 8 what we manage are contained in a
 9 SourceSafe repository, which means you
 10 make the changes and you put it in there
 11 and so all the history of changes is in
 12 that repository.

13 Q. Is there any database that
 14 manages that type of information?

15 A. The product I described,
 16 SourceSafe, is a Microsoft product. I
 17 believe it would have a database within
 18 itself.

19 Q. If you wanted to output
 20 information from SourceSafe, how would
 21 you do that?

22 A. We would go into SourceSafe
 23 and pull out the information you're
 24 looking for. So you would pull out the

1 current version or you could go versions
2 back.

3 Q. You could output the whole
4 thing if you wanted to, everything that
5 had been on there?

6 A. It would be very
7 challenging. It's changed over a large
8 period of time and it's document by
9 document.

10 Q. We've outlined some
11 databases that you work with, and we
12 talked a little bit about applications
13 and we got into Web sites. What are some
14 of the other applications that your work
15 entails that you supervise?

16 A. I supervise the applications
17 that would support sales. SalesInsite
18 would be one. TimeTrax, Touchstone
19 Interactive, Touchstone Reporting to name
20 a few.

21 Q. And what is SalesInsite?

22 A. It would be the tool a
23 salesperson uses to manage -- the best
24 description is it's somewhat like what is

1 A. They could access a
2 prescription report. They could
3 access -- some of these are no longer in
4 existence -- a Dashboard report. They
5 could have accessed an FSIP or incentive
6 report of how their -- you know, their
7 compensation.

8 Q. Can you describe Dashboard
9 for me?

10 A. Dashboard, which is no
11 longer in existence, would have
12 information about how they would have
13 made calls, their calls for the period of
14 time reported. They're -- I'm trying to
15 think, it's been a while. They may have
16 described information of the products,
17 detailing in summary for their business
18 area. I haven't looked at one of those
19 in several years. I'm trying to think.
20 The product information, the call or
21 execution data. That would be the ones
22 that stand out in my mind. And the
23 TimeTrax information, the time off
24 territory.

1 called a portal, an information site for
2 the salesperson. They can view their
3 e-mail. They can view messages. They
4 can view -- access reports, access that
5 TimeTrax tool.

6 Q. Access reports?

7 A. Yes.

8 Q. What do you mean by access
9 reports or what are access reports?

10 A. Get to reports if they were
11 sent, spreadsheets or something in a
12 report format.

13 Q. This report would be on
14 sales of Seroquel, it would include that?

15 A. Yes. They would get a
16 report that would be the prescription
17 sales.

18 Q. Would this be company-wide
19 data?

20 A. Can you help me with the
21 question?

22 Q. The reports, what types of
23 reports can they access through
24 SalesInsite?

1 Q. Is Dashboard a sales
2 automation tool?

3 A. No, it was actually a
4 report. The technology was called -- it
5 was what you would call Web-based
6 technology.

7 Q. How did it work?

8 A. The reports were basically
9 distributed via SalesInsite, and they
10 would go in and see the report was
11 available and click it and it would open
12 up and display the information in front
13 of them. Like it was in a, I would say,
14 Web type technology, meaning if you're on
15 the Internet, in Internet Explorer, it
16 would look and feel that way.

17 Q. And this information, would
18 it be information about a particular
19 physician that they wanted to visit?
20 Would there be information available
21 about a particular physician in
22 Dashboard?

23 A. Dashboards were summary
24 reporting, not at the physician level.

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1 Q. And if you wanted to access
 2 the information -- what was the time
 3 period for Dashboard that it was in
 4 operation?
 5 A. I'm thinking. These are
 6 approximate. Approximately January 2001
 7 until, I believe, February, March 2006.
 8 March, I believe.
 9 Q. Is there a system that
 10 replaces Dashboard?
 11 A. Touchstone Reporting.
 12 Q. Is there a system that
 13 preceded Dashboard?
 14 A. I can't recall anything of
 15 that. It was something new when it was
 16 first built.
 17 Q. Is data contained in the
 18 Dashboard system available to be
 19 retrieved?
 20 MR. TORREGROSSA: Objection
 21 to form.
 22 BY MR. SMITH:
 23 Q. Can you retrieve data in the
 24 Dashboard -- that was in the Dashboard

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1 A. The reports are limited in
 2 terms of what is available. They are
 3 based on like a three month or four month
 4 period, we may have a set of those
 5 reports. And I believe we have them
 6 going to 2002. The -- what was the other
 7 part of the question?
 8 Q. Was the data available and
 9 were the reports available?
 10 A. The Compass data related to
 11 the calls and the things that were
 12 reported would be available. The IMS
 13 data, I'm not sure where that would
 14 come -- if it would be readily available
 15 today. IMS data is a rolling 24 months.
 16 We have the current information
 17 available.
 18 Q. IMS is a third-party vendor.
 19 Is that correct?
 20 A. Yes, it is.
 21 Q. IMS stands for what?
 22 A. IMS. I'm sorry. Never even
 23 asked that question.
 24 Q. Can you just tell us briefly

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1 system?
 2 A. The data would be -- in the
 3 format, yes, there are Dashboards, we do
 4 have some archives -- you know, we have
 5 them. And then if we didn't, the data
 6 would be available in like the Compass
 7 database, like the call execution data.
 8 Q. You mentioned Touchstone.
 9 The data from Dashboard, was it migrated
 10 into Compass?
 11 A. No. Dashboard is a
 12 reporting -- is a report of data
 13 collected from Compass, or would have
 14 been IMS data. Prescription data comes
 15 from IMS.
 16 Q. So Dashboard received
 17 information from IMS and from Compass.
 18 Is that correct?
 19 A. Yes.
 20 Q. And then it generated
 21 reports?
 22 A. Yes.
 23 Q. And are both the reports and
 24 the data available now?

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1 what kind of information IMS provides to
 2 AstraZeneca?
 3 A. The information I know that
 4 they provide is they provide early view
 5 which is weekly data related to
 6 prescriptions. They provide exponent
 7 which is monthly summarized prescription
 8 data. And they provide DDD which is
 9 account or outlet type data. DDD, my
 10 understanding is sales to a hospital or a
 11 wholesaler or something of that nature.
 12 I don't know if wholesale, but it's what
 13 they buy.
 14 Q. And if you were looking at
 15 Seroquel, it would provide information
 16 not only for Seroquel but for competing
 17 brands?
 18 A. Yes.
 19 Q. What are some of the other
 20 applications that you're responsible for?
 21 A. Touchstone. The databases
 22 are application databases. Compass was,
 23 we retired that. The MACS system which
 24 is the information cost center. The

1 TimeTrax. The synchronization tool that
 2 allows the reps to synchronize. Those
 3 are the bigger ones.
 4 Q. Let's take them in order.
 5 Why don't you talk to us about
 6 Touchstone. Tell us what Touchstone is.
 7 A. Touchstone is a sales force
 8 automation tool. It's built on the
 9 Siebel systems platform which is a bought
 10 product. Siebel system manages that type
 11 of application and it allows the sales
 12 reps, or PSSes as I refer to them, to
 13 record their information, their
 14 interactions with their accounts or their
 15 customers.
 16 Q. What is a PSS?
 17 A. Pharmaceutical sales
 18 specialist. Also known as a sales rep.
 19 Q. When did Touchstone start?
 20 A. Touchstone began rolling out
 21 in June of 2006.
 22 Q. And how much of the prior
 23 data was migrated into Touchstone?
 24 A. To start Touchstone, we

1 Q. Who is the -- is there just
 2 one resource manager?
 3 A. For that area, it would be
 4 one, yes.
 5 Q. And who would that be?
 6 A. Jayne Tomforde.
 7 Q. So you could send a request
 8 to Jayne Tomforde for data from the
 9 Compass database in -- prior to January 1
 10 of 2005 and she could produce that to
 11 you?
 12 MR. TORREGROSSA: Objection
 13 to form.
 14 THE WITNESS: She would not.
 15 She would assign a resource to do
 16 it. And then have -- we have a
 17 resource pool of people who would
 18 be able to do that.
 19 BY MR. SMITH:
 20 Q. And do you have any
 21 information with the resource pool?
 22 A. I know who they are. They
 23 work for -- the responsibility for that
 24 resides with her in terms of managing

1 migrated and it was January 1, 2005.
 2 Q. And data from prior to
 3 January 1, 2005, was it archived in some
 4 way?
 5 A. No. The data is in Compass.
 6 Q. And that data still exists
 7 in Compass?
 8 A. Yes.
 9 Q. Can you still use Compass?
 10 A. The application, no.
 11 Q. If you wanted to look at
 12 data that was contained in Compass, how
 13 would you go about it?
 14 A. I would have to make a
 15 request for that information within our
 16 organization.
 17 Q. To whom?
 18 A. We have a request database
 19 that says what are -- you know, an ad hoc
 20 request system that lets you put in the
 21 request for information like that. And
 22 it goes to our resource manager who would
 23 assign it to a resource to pull the
 24 information.

1 them and things like that. They work in
 2 the same organization I work in.
 3 Q. Now, you are a manager with
 4 applications maintenance and Jayne is a
 5 manager with resources?
 6 A. Uh-huh.
 7 Q. If you could explain what
 8 the difference is?
 9 A. My job is operational care
 10 and feeding, to ensure the systems run.
 11 If there is anything to deal with the
 12 system running, making sure what I call
 13 the lights are on. The maintenance, the
 14 general care and feeding, you know. Also
 15 any help desk type related situations
 16 where a user calls and needs help, I
 17 manage a team that does that, too,
 18 related to systems. Her role, resource
 19 manager, is to what I call the demand
 20 side. If somebody asks for things, if
 21 they want something done, if they want to
 22 have something built, as a resource
 23 manager she may do that on a more limited
 24 basis. On a limited basis, larger stuff,

1 she would not be assigning resources to.
2 Q. Have you been involved in
3 document production in this litigation?

4 MR. TORREGROSSA: Objection
5 to form. You can answer that
6 question yes or no, but don't
7 reveal any substance of
8 attorney-client communications.

9 THE WITNESS: Yes.
10 BY MR. SMITH:

11 Q. What is your role in
12 producing documents pertaining to
13 Seroquel?

14 MR. TORREGROSSA: Objection.
15 Do not reveal any attorney-client
16 information. You can only answer
17 that question yes or no or what it
18 is. Actually, he can't answer
19 that question, Ken. He can't
20 describe what he does. That's
21 privileged.

22 MR. SMITH: You're directing
23 him not to answer?

24 MR. TORREGROSSA: I'm

1 He's here on an IT basis,
2 not a lawyer, what are we doing
3 for retention purposes for
4 litigation basis. And any
5 involvement he has in working with
6 legal counsel to produce
7 information, I would deem that as
8 perfectly privileged.

9 MR. SMITH: Let me follow a
10 thought here and we'll take a
11 break in a minute. It's about
12 time for a break.

13 BY MR. SMITH:

14 Q. I assume you're going to
15 follow your counsel's advice and you're
16 not going to tell me what your
17 involvement is with document production
18 in this case. Is that correct?

19 A. Yes.

20 Q. Can you tell me whether you
21 have searched for data prior to
22 January 1, 2005 relating to sales force
23 automation?

24 MR. TORREGROSSA: And I

1 directing him not to answer that
2 question. As I told you, he's not
3 here to talk about that today. If
4 you would like a 30(b)(6) on that,
5 we'll consider it. But he's not
6 here to talk about the document
7 production or document production
8 issues.

9 MR. SMITH: How is it that
10 it doesn't relate to the
11 applications that he manages?

12 THE WITNESS: Well, it
13 might. I'm just telling you that
14 retention, he's here to talk about
15 retention from a 30(b)(6)
16 perspective. What is there, what
17 is available. How difficult it is
18 to access it. That type of thing.

19 He is not -- if you
20 issued -- you did, in fact, issue
21 a 30(b)(6) that said tell us about
22 the document production and the
23 retention for that, and that was
24 withdrawn. That's my only point.

1 caution you that you can answer
2 the question, Mr. Dowling, but in
3 doing so, do not reveal any legal
4 requests or legal advice or legal
5 questions from the legal
6 department. But you can answer
7 for business purposes. Do you
8 understand my instruction?

9 THE WITNESS: Yes, I do.

10 MR. TORREGROSSA: Could we
11 have it read back for the witness,
12 please?

13 - - -

14 (The court reporter read the
15 pertinent part of the record.)

16 - - -

17 THE WITNESS: We -- there
18 have definitely been cases where
19 we would have looked at
20 information -- prior to January 1,
21 2005 for information. I can't
22 recall explicitly off the top of
23 my head one.

24 BY MR. SMITH:

1 Q. How far back were you able
 2 to go looking for sales force automation
 3 data?
 4 MR. TORREGROSSA: Same
 5 instruction. Same caution.
 6 THE WITNESS: The database
 7 contains -- the Compass database
 8 contains information all the way
 9 back to its inception, which is
 10 1994. I don't remember the exact
 11 date.
 12 BY MR. SMITH:
 13 Q. So if you wanted to --
 14 Seroquel was marketed in September of
 15 1997, I believe. Does that accord with
 16 your recollection?
 17 A. September or October,
 18 something of that time frame, that fall.
 19 Q. So for sales force
 20 automation data, would there be anything
 21 existing prior to the launch of Seroquel?
 22 MR. TORREGROSSA: Would
 23 there be anything prior to --
 24 BY MR. SMITH:

1 to form.
 2 THE WITNESS: Yes, it is.
 3 BY MR. SMITH:
 4 Q. And can you tell us in --
 5 why don't we take a break here.
 6 MR. SHELLER: Before we do,
 7 I'm a little bit at a loss because
 8 I just learned about this
 9 deposition yesterday.
 10 Mr. Dowling is here, maybe
 11 it's just an explanation, but Mr.
 12 Dowling is here to discuss the
 13 topic of IT/databases?
 14 MR. TORREGROSSA: He's here
 15 to talk about AstraZeneca's past
 16 and current databases and computer
 17 systems as modified by the
 18 30(b)(6) agreement between the
 19 parties, yes.
 20 MR. SHELLER: Where I'm
 21 confused is, I'm not sure what
 22 that is meant to encompass. You
 23 might be able to help me with
 24 that.

1 Q. Would there be any sales
 2 force automation data prior to the
 3 launch? I'm trying to ascertain what the
 4 sales force automation data is. Do you
 5 understand?
 6 MR. TORREGROSSA: I don't
 7 understand the question, but go
 8 ahead. Objection to form.
 9 BY MR. SMITH:
 10 Q. Do you understand, Mr.
 11 Dowling?
 12 A. My understanding of the
 13 question is, would there be data related
 14 to activities with physicians in the
 15 sales force automation tool prior to
 16 launch?
 17 Q. Prior to launch.
 18 A. My understanding, no, it
 19 would not have been a promoted product.
 20 Q. Now, data relating to sales
 21 force automation is available then post
 22 launch beginning in September or October
 23 of 1997. Is that correct?
 24 MR. TORREGROSSA: Objection

1 MR. TORREGROSSA: If you
 2 want to do it on the record, we
 3 can do it on the record or I'd be
 4 happy to discuss off the record
 5 our negotiations.
 6 MR. SHELLER: I would like
 7 something on the record so we have
 8 it when we review it.
 9 MR. TORREGROSSA: There were
 10 extensive negotiations, Mr.
 11 Sheller. There were eleven
 12 notices issued by MDL plaintiffs'
 13 counsel on 262 different areas of
 14 30(b)(6) testimony. We found that
 15 to be a bit ludicrous. So we
 16 engaged in extensive negotiations
 17 over a week to try to narrow the
 18 focus and come up with an
 19 acceptable and agreeable 30(b)(6)
 20 notice.
 21 So what you see before us
 22 today is the result of all those
 23 efforts, and so Mr. Dowling is to
 24 talk about number 3 and the parts

1 of number 3 that we've identified
 2 as part of that agreement.
 3 MR. SMITH: Just before we
 4 break -- is that good for you,
 5 Steve?
 6 MR. SHELLER: Well, I'm
 7 looking at -- you're talking about
 8 number 3 in the notice. Right?
 9 MR. TORREGROSSA: I am
 10 talking about number 3 in Mr.
 11 Magaziner's --
 12 MR. SHELLER: AstraZeneca's
 13 past and present data including
 14 all backup, et cetera, paragraph
 15 3, numbered 3.
 16 MR. TORREGROSSA: Correct.
 17 MR. SMITH: Let me ask a
 18 couple of questions and see if you
 19 have any follow up, and then we'll
 20 break as I promised.
 21 BY MR. SMITH:
 22 Q. Mr. Dowling, would you look
 23 at Exhibit B to the Exhibit 1 which would
 24 be the letter from Mr. Magaziner,

1 yes. I would be able to tell you there
 2 is a form they fill out and they send it
 3 to -- I think it goes to CLINTRACE. The
 4 sales force fills out a form and then
 5 that is sent to CLINTRACE and that's
 6 where I would not be able to go at that
 7 point, speak of it.
 8 Q. Still under that subject,
 9 "...the activity of the Seroquel sales
 10 force, data and sales materials
 11 distributed to the Seroquel sales
 12 force..." again, that would be -- that
 13 would be your area, wouldn't it?
 14 A. I would be able to speak
 15 about the activities in the database and
 16 the systems used -- some of the systems,
 17 I believe, related to the sales materials
 18 distribution.
 19 Q. So you're prepared to talk
 20 today about systems related to, and I'll
 21 read it again, "...the activity of the
 22 Seroquel sales force, data and sales
 23 materials distributed to the Seroquel
 24 sales force..." right? You're prepared

1 representing AstraZeneca, to Scott Allen,
 2 representing the plaintiffs. And on page
 3 3 of that letter, paragraph numbered 3,
 4 do you see that?
 5 Would you just read that
 6 paragraph -- I'll just read it in. It
 7 says, "AstraZeneca's past and current
 8 databases and computer systems, including
 9 (a) all backup and retention systems and
 10 policies and procedures used to collect,
 11 store, audit, analyze, and report
 12 information concerning adverse event
 13 reports relating to Seroquel..."
 14 So that's something that is
 15 Mr. Draper's bailiwick up to that point?
 16 MR. TORREGROSSA: You're
 17 asking if he is the one designated
 18 to talk about adverse event
 19 reporting?
 20 MR. SMITH: Yes.
 21 BY MR. SMITH:
 22 Q. That would be Mr. Draper.
 23 Is that correct?
 24 A. It would be Mr. Draper's,

1 to talk about that today. Right?
 2 A. Yes.
 3 Q. And then going up above
 4 that, that includes backup and retention
 5 systems and policies and procedures
 6 relating to the activities of the sales
 7 force? You would be able to talk about
 8 that today, wouldn't you?
 9 A. Yes.
 10 MR. TORREGROSSA: Yes.
 11 That's what I clarified, from the
 12 IT perspective.
 13 MR. SHELLER: Data from
 14 clinical and preclinical trials,
 15 is that included?
 16 MR. TORREGROSSA: Hold it.
 17 One at a time.
 18 MR. SHELLER: I'm sorry.
 19 MR. TORREGROSSA: If Mr.
 20 Smith wants to ask that question,
 21 he can ask that question. This is
 22 not a panel.
 23 MR. SHELLER: I'm just
 24 trying to understand why he's

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1 here.
 2 MR. TORREGROSSA: That's a
 3 perfectly fine question.
 4 MR. SHELLER: Steve, if you
 5 could ask that one thing. It says
 6 something about data from clinical
 7 and preclinical studies, is Mr.
 8 Dowling here to talk about that?
 9 MR. TORREGROSSA: The answer
 10 is no. Mr. Draper is here, going
 11 to testify on the 17th and 18th,
 12 and he will address clinical and
 13 preclinical data and the systems
 14 used for that.
 15 MR. SHELLER: And systems
 16 used for that.
 17 BY MR. SMITH:
 18 Q. Lastly, Mr. Dowling, we're
 19 going to talk about, "(b) the location,
 20 function, and design of computer systems,
 21 databases, software, e-mail systems...,"
 22 which we've already talked about some,
 23 "...internet or intranet
 24 applications...," which we've already

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1 MR. SHELLER: Before we do,
 2 can I clarify one thing? As an
 3 example, if a sales rep is out in
 4 the field and visits a doctor or
 5 somebody and writes a call note,
 6 is that something you're able to
 7 talk about or is that someone
 8 else?
 9 MR. TORREGROSSA: Don't
 10 answer that. Yes, he is able to
 11 answer that. The sales call
 12 automation system we will be able
 13 to discuss today.
 14 MR. SHELLER: Call notes and
 15 visits to doctors, he's able to
 16 talk about that?
 17 MR. TORREGROSSA: From an IT
 18 standpoint, yes.
 19 MR. SHELLER: I just want to
 20 be sure.
 21 MR. SMITH: Let's take a
 22 break.
 23 - - -
 24 (A recess was taken from

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1 talked about some, "...mainframes,
 2 computers, local area network and wide
 3 area network servers, desktop, laptop,
 4 phone and voicemail, and other messaging
 5 systems used by AstraZeneca from the time
 6 Seroquel was first developed until the
 7 present."
 8 We're going to be able to
 9 talk about those today. Right?
 10 A. Yes. Except for -- I would
 11 not be as familiar with the phone and
 12 voice mail.
 13 MR. TORREGROSSA: That's Mr.
 14 Draper. So you're correct.
 15 BY MR. SMITH:
 16 Q. I didn't quite hear the
 17 answer.
 18 A. I would not be quite
 19 familiar with the phone and voice mail
 20 systems.
 21 Q. That would be Mr. Draper?
 22 A. Yes.
 23 MR. SMITH: Why don't we
 24 take a break.

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1 10:37 a.m. to 10:57 a.m.)
 2 - - -
 3 BY MR. SMITH:
 4 Q. We're back on the record.
 5 Mr. Dowling, talk to me
 6 about Touchstone, if you will. That's
 7 one of the applications that you manage.
 8 Is that correct?
 9 A. Yes.
 10 Q. What is Touchstone?
 11 A. It's a sales force
 12 automation tool that allows the sales
 13 reps to enter information about their
 14 discussions with their customers,
 15 doctors.
 16 Q. So that's what they can put
 17 into Touchstone. Right?
 18 A. Yes.
 19 Q. What can they get out of
 20 Touchstone?
 21 MR. TORREGROSSA: The sales
 22 reps?
 23 MR. SMITH: The sales rep.
 24 MR. TORREGROSSA: Okay.

1 THE WITNESS: They have the
2 profile information on the doctor,
3 address type of information. The
4 products -- well, actually that's
5 entered. The doctors who they
6 target to do sales against. Let's
7 see. And like affiliations to,
8 say, an account, meaning a doctor
9 could be affiliated to a hospital
10 or a group practice type stuff.

11 BY MR. SMITH:

12 Q. Besides the sales reps'
13 input, which is, I believe you said,
14 information they got after a sales visit,
15 sales call, besides the sales reps, who
16 else would input information into the
17 Touchstone system?

18 A. Touchstone is used by the
19 sales reps, and the account directors
20 would also be able to use the system.

21 Q. And how would the account
22 directors use the system?

23 A. The account directors deal
24 with the accounts they manage for -- like

1 HMO type accounts and things of that
2 nature. So there's similar interactions
3 they may have.

4 Q. Anybody else who would be
5 able to input information into
6 Touchstone?

7 A. If you -- you could enter --
8 a sales manager could enter it, a
9 district sales manager, PSS' boss, could
10 enter information.

11 Q. Does the IMS information go
12 into Touchstone?

13 A. There is the ability to see
14 a limited amount of data around IMS, yes.

15 Q. What types of information
16 from IMS?

17 A. The prescription data.

18 Q. Who can access Touchstone
19 and -- to extract information?

20 A. Can you explain from the --

21 Q. Who has permission to go
22 into Touchstone and look at data or
23 generate reports?

24 A. To access Touchstone you

1 have to have an account. There is a
2 limited number of accounts. And also
3 licenses. It's a licensed product from
4 Siebel. The general customer is the
5 pharmaceutical sales specialist. The
6 district sales managers, their regional
7 sales director and some headquarters
8 people.

9 Q. You said the general
10 customer is the pharmaceutical sales
11 specialist. Is that the owner as far as
12 AstraZeneca is concerned? Is that the
13 department that the bills are charged to?

14 A. I don't understand what you
15 mean.

16 Q. What do you mean when you
17 say the general customer is the
18 pharmaceutical sales specialist?

19 A. That's the number one
20 customer using the system.

21 Q. Who is able to request or
22 make changes to the system?

23 A. The sales reps can enter
24 data. Help me understand your question.

1 Q. Is there somebody at
2 AstraZeneca who could say, well, I need
3 to do something else, and ask that it be
4 modified?

5 MR. TORREGROSSA: Objection
6 to form.

7 THE WITNESS: The business
8 makes decisions on what they could
9 do with the system.

10 BY MR. SMITH:

11 Q. Who in the business would
12 have the ultimate responsibility for
13 Touchstone?

14 A. Howard Kaplan.

15 Q. What is his title?

16 A. I don't know his exact
17 title. He's director and he would be
18 covering that area. I can't recall his
19 exact title.

20 Q. Can you give me your best
21 approximation of his title or describe
22 the job that he does?

23 A. I believe the title would be
24 something like director, CRM, customer

1 relationship management.
 2 Q. Is there an area, a division
 3 or a department that CRM comes under?
 4 A. It's in the Commercial
 5 organization. I don't know the title of
 6 the exact area.
 7 Q. If he wanted a change to the
 8 system, who would he work with to
 9 accomplish that?
 10 MR. TORREGROSSA: Objection
 11 to form.
 12 THE WITNESS: He would work
 13 with the client partner in the
 14 CISS organization to understand
 15 what he needs -- he wants done.
 16 BY MR. SMITH:
 17 Q. And what is CISS?
 18 A. Commercial Information
 19 Services and Solutions.
 20 Q. And are you a part of CISS?
 21 A. Yes, I am.
 22 Q. Would he come to you if he
 23 wanted changes or somebody else?
 24 MR. TORREGROSSA: Do you

1 question.
 2 Q. Is information put in or
 3 taken out through any other systems?
 4 A. Yes.
 5 Q. What other systems?
 6 A. There's sampling, a sampling
 7 system. The sales rep signs a sample,
 8 that information goes to the sampling
 9 accountability system.
 10 Q. Is there a name for the
 11 sampling system?
 12 A. I call it the sampling
 13 accountability system.
 14 Q. Is that a system that,
 15 again, you're responsible for?
 16 A. No, sir.
 17 Q. No, sir?
 18 A. No, sir.
 19 Q. Who is responsible for that?
 20 A. The person I would say would
 21 be David Wolfe.
 22 Q. And that's on the IT side?
 23 A. Yes.
 24 Q. Somebody else in CISS?

1 mean changes to the overall system
 2 and how it works?
 3 MR. SMITH: Yes.
 4 MR. TORREGROSSA: Go ahead.
 5 THE WITNESS: He would go to
 6 the client partner.
 7 BY MR. SMITH:
 8 Q. And who is the client
 9 partner?
 10 A. Ed Seidl.
 11 Q. Could you spell that,
 12 please?
 13 A. S-E-I-D-L.
 14 Q. Are the costs of Touchstone
 15 charged to some department or division in
 16 AstraZeneca?
 17 A. Yes.
 18 Q. And to which division or
 19 department are they charged to?
 20 A. My organization. CISS.
 21 Q. Are there links between
 22 Touchstone and other applications or
 23 systems?
 24 A. Help me understand the

1 A. No, sir.
 2 Q. What division is he in?
 3 A. OAFS.
 4 Q. What is that?
 5 A. Operations and Finance
 6 Solutions.
 7 Q. With a system like
 8 Touchstone, is there something called a
 9 data map?
 10 A. A data map I would refer to
 11 as an ERD, Entity Relationship Diagram.
 12 Q. The E is entity?
 13 A. ERD.
 14 Q. ERD, and what does the E
 15 stand for?
 16 A. Entity Relationship Diagram.
 17 Q. Does such a thing exist for
 18 Touchstone?
 19 A. Yes.
 20 Q. Does it exist for all of the
 21 databases that you're going to talk about
 22 today?
 23 A. I'm not sure if it exists
 24 for all of them.

1 Q. Could you sketch a data map
 2 for me for Touchstone?
 3 A. No, sir.
 4 Q. Can you tell me -- we talked
 5 a little bit about the inputs and the
 6 outputs. Sampling is able to extract or
 7 access certain information in Touchstone,
 8 is that what you said?
 9 A. No, it's not.
 10 Q. It's not.
 11 A. That's not what I said.
 12 Q. What is the relationship
 13 between -- I don't want to misstate what
 14 you said. What is the relationship
 15 between sampling and Touchstone?
 16 A. A sales rep leaves samples
 17 with a doctor and they sign for the
 18 samples, the order that was sent to them.
 19 And that information is sent to the
 20 sample accountability database.
 21 Q. Besides the sample
 22 accountability database, what other
 23 systems can access Touchstone?
 24 A. You have the -- a PIR allows

1 you the ability to enter a Professional
 2 Information Request, or a physician's,
 3 and that is sent to, I believe, the
 4 Webster system.
 5 Q. Webster?
 6 A. Yes.
 7 Q. What is the Webster system?
 8 A. I'm not familiar with that.
 9 I know we send the PIRs to them to
 10 manage.
 11 Q. Who would be knowledgeable
 12 about the Webster system?
 13 A. That would be Steve
 14 Aaronson.
 15 Q. What have you done to
 16 prepare for today's deposition?
 17 MR. TORREGROSSA: You can
 18 answer the question but don't
 19 reveal the substance of any
 20 communications we've had or with
 21 other AstraZeneca counsel. You
 22 can answer the question.
 23 THE WITNESS: I met with
 24 colleagues to review the systems

1 we're discussing today.
 2 BY MR. SMITH:
 3 Q. So other than your counsel,
 4 you met with colleagues, meaning other
 5 people who work at AstraZeneca?
 6 A. Yes, sir.
 7 Q. Who did you meet with?
 8 A. Lynn Winkler. Jason Holler.
 9 Joe Keane. Steve Dupre. Mike Marcus.
 10 Sindy Schneck.
 11 Q. Would you spell that for me,
 12 please?
 13 A. S-C-H-N-E-C-K.
 14 Chris Doyle. Eugene Tayam.
 15 Scott Morgan.
 16 Q. Could you spell Tayam for
 17 me?
 18 A. T-A-Y-A-M.
 19 Q. Anyone else?
 20 A. Scott Morgan. Scott Brown.
 21 Holly Branham. Alex Manganella.
 22 Q. Could you spell Holly's name
 23 for me?
 24 A. B-R-A-N-H-A-M, I believe.

1 Q. Alex?
 2 A. Alex Manganella.
 3 Q. Take a stab at that for me.
 4 A. Exactly. M-A-N-G-A-N-E-L-L-A.
 5 That's phonetic.
 6 Q. Who is Mr. or Ms. Winkler?
 7 MR. TORREGROSSA: Ms.
 8 THE WITNESS: Ms.
 9 BY MR. SMITH:
 10 Q. Ms.
 11 A. She manages in the systems
 12 related to the e-mail.
 13 Q. And Mr. Holler?
 14 A. He deals with SAP.
 15 Q. Mr. Keane?
 16 A. He deals with SAP.
 17 Q. Mr. Dupre?
 18 A. The AZER system.
 19 Q. And there was a Mike Marcus?
 20 A. Touchstone and Compass.
 21 Q. And how does he deal with
 22 Touchstone and Compass?
 23 A. Operations.
 24 Q. How does it differ from what

1 you do?
 2 A. He works for me.
 3 Q. Mr. Schneck?
 4 A. Ms.
 5 Q. Ms. Schneck?
 6 A. Touchstone and Compass.
 7 Q. And what does she do?
 8 A. She deals with the same
 9 systems, operations, things of that
 10 nature.
 11 Q. Chris Doyle?
 12 A. He would be with ViewPoint
 13 and LectureBureau Express.
 14 Q. Eugene Tayam?
 15 A. Same thing.
 16 Q. Scott Morgan?
 17 A. Those two. Those two
 18 applications.
 19 Q. Scott Brown?
 20 A. Same thing.
 21 Q. Holly Branham?
 22 A. Branham, B-R-A-N-H-A-M.
 23 Q. What does she do?
 24 A. MACS.

1 Q. And Mr. Manganella?
 2 A. MACS.
 3 Q. Did you talk to anybody
 4 about SAP?
 5 A. That was Joe Keane and Jason
 6 Holler.
 7 Q. KNOWBOL?
 8 A. KNOWBOL would have been
 9 Kelly Wallace.
 10 Q. ICON?
 11 A. Holly.
 12 Q. SnapPharma?
 13 A. Jay Kent.
 14 Q. AZER?
 15 A. Steve Dupre.
 16 Q. PREP?
 17 A. Nancy Jarret.
 18 Q. And Northstar?
 19 A. Mike and Sindy.
 20 Q. What documents have you
 21 reviewed in preparation for today's
 22 deposition?
 23 A. I have not reviewed
 24 documents for today.

1 MR. TORREGROSSA: Aside, of
 2 course, Ken, from what you already
 3 have, the notice.
 4 BY MR. SMITH:
 5 Q. Who is your supervisor?
 6 A. Amy Herman.
 7 Q. What is her title?
 8 A. Director, CISS Skills
 9 Center.
 10 Q. And what is the skills
 11 center?
 12 A. It's the area where I work.
 13 We manage the -- part of managing it is
 14 where I and Jayne, my peer, work. We
 15 manage the skills center operations, care
 16 and feeding, change work goes through the
 17 systems.
 18 Q. Who does Amy report to?
 19 A. Matt Pammer.
 20 Q. What is his title?
 21 A. Senior director,
 22 Commercial -- CISS.
 23 Q. Is there a group or team
 24 that you head?

1 A. The application maintenance
 2 team.
 3 Q. The application maintenance
 4 team. And you have how many people
 5 working under you on that team?
 6 A. Approximately about 40.
 7 Q. Can you talk about the
 8 responsibilities of the employees in your
 9 group in general terms? Are there
 10 certain groups -- within your group, are
 11 there subgroups?
 12 MR. TORREGROSSA: You're
 13 asking what the employees do?
 14 MR. SMITH: Yes, about the
 15 employees that are in his group, I
 16 want to ask if there are subgroups
 17 of those employees?
 18 THE WITNESS: Help me
 19 understand "subgroups."
 20 BY MR. SMITH:
 21 Q. If it's broken up into four
 22 or five different functions and you have
 23 separate groups that do those functions
 24 or jobs. Does that help?

1 A. Yes. I have -- my employees
2 are application service managers. And I
3 have a service -- her title is service
4 management analyst. Application service
5 managers that cover different sets of
6 applications.

7 Q. How do the management
8 analysts differ from the application
9 service managers?

10 A. A service management
11 analyst, which is new to my group,
12 basically helps to manage the managers
13 associated with making sure the
14 applications are running. In other
15 words, service level agreements to make
16 sure that they're being met.

17 Q. Is that in some way dealing
18 with, for lack of a better term, the
19 customers within AstraZeneca to see
20 whether it's meeting their needs or not?

21 A. The work she does is for the
22 leadership within our organization.

23 Q. She does work for the
24 leadership?

1 Q. I'm looking under senior
2 manager, application maintenance, it says
3 you manage a team of four employees and
4 32 contractors. Where are the
5 contractors from?

6 A. The contractors are part of
7 the group called Accenture.

8 Q. And what do the contractors
9 do?

10 A. They manage the sales
11 applications like Touchstone.
12 Operational care and feeding. And the
13 help desk.

14 Q. Who supplies those people to
15 you?

16 A. Accenture.

17 Q. Accenture? And where are
18 they based?

19 A. They have an office in
20 Wilmington. I don't know their corporate
21 location.

22 Q. Do they basically sell and
23 service the Siebel system as a vendor?

24 A. No.

1 A. Yes.

2 Q. In which organization?

3 A. CISS.

4 Q. What sorts of things are
5 they measuring? How are they -- what are
6 they measuring?

7 A. Examples would be system up
8 time. How many calls to the help desk.

9 MR. SMITH: Why don't we
10 mark this as Exhibit 2. I'm going
11 to show you your resume, Mr.
12 Dowling.

13 - - -

14 (Exhibit Dowling-2, Resume,
15 was marked for identification.)

16 - - -

17 BY MR. SMITH:

18 Q. Can you identify Exhibit 2
19 for me, please?

20 A. That is my resume.

21 Q. Is that prepared by you?

22 A. Yes, it was.

23 Q. Is it current?

24 A. It is current.

1 Q. You get that directly from
2 Siebel, the Touchstone?

3 A. Yes. We buy the licensing
4 directly from Siebel.

5 Q. Your previous position was
6 manager, applications and operations?

7 A. Yes.

8 Q. And how was that different
9 from what you do now?

10 A. I had less responsibility.

11 Q. What additional
12 responsibility did you have as senior
13 manager, application maintenance?

14 A. I maintain -- I am
15 responsible for all the applications. In
16 the previous role I didn't have as many.

17 Q. How much of your work is
18 directly related to Seroquel?

19 A. My work related to Seroquel
20 is making sure the systems are configured
21 and -- the way they're supposed to be.
22 To make sure they're running to allow
23 people to do their jobs.

24 Q. Another way to put it, I

1 assume you provide services for other
 2 drug products? Do you provide
 3 informational services relating to drug
 4 products other than Seroquel?
 5 A. I'm not sure of the
 6 question.
 7 Q. Does your work involve just
 8 Seroquel or does it involve all the drug
 9 products that AstraZeneca makes?
 10 A. The systems I manage support
 11 AstraZeneca's products, yes.
 12 Q. And products other than
 13 Seroquel?
 14 A. Yes.
 15 Q. About how much of your time
 16 is involved with Seroquel?
 17 A. I don't look at my time as
 18 involved with Seroquel as managing the
 19 systems.
 20 Q. Is the Touchstone system
 21 used for products other than Seroquel?
 22 A. Yes.
 23 Q. Which of the applications
 24 that we identified this morning, if any,

1 Q. Was that true with Compass
 2 as well?
 3 A. Yes.
 4 Q. And Northstar?
 5 A. Yes.
 6 Q. What products was Compass
 7 used for?
 8 A. Any AstraZeneca product
 9 promoted by the sales force.
 10 Q. And NICE?
 11 A. No. Not used by the sales
 12 force.
 13 Q. Is it used for products
 14 other than Seroquel?
 15 A. Yes.
 16 Q. And the MACS system, is that
 17 used for products other than Seroquel?
 18 A. Yes.
 19 Q. KNOWBOL?
 20 A. Yes.
 21 Q. ICON?
 22 A. Yes.
 23 Q. SnapPharma?
 24 A. Yes.

1 deal with just Seroquel?
 2 MR. TORREGROSSA: You mean
 3 from the notice?
 4 MR. SMITH: Right.
 5 BY MR. SMITH:
 6 Q. Are any of these exclusive
 7 to Seroquel? If we look at the list on
 8 page 3 of the letter. Why don't I just
 9 take them in order. SAP is not exclusive
 10 to Seroquel I assume. Right?
 11 A. Correct.
 12 Q. And Touchstone is used for
 13 other products?
 14 A. Correct.
 15 Q. If a sales representative
 16 is -- makes a call on a physician for
 17 Seroquel and another product, how are
 18 those call notes treated?
 19 MR. TORREGROSSA: In
 20 Touchstone?
 21 BY MR. SMITH:
 22 Q. In Touchstone.
 23 A. The notes are for -- there's
 24 one set of notes for that call.

1 Q. AZER?
 2 A. Yes.
 3 Q. ViewPoint?
 4 A. Yes.
 5 Q. LectureBureau Express?
 6 A. Yes.
 7 Q. PREP?
 8 A. Yes.
 9 Q. So none of those are
 10 exclusive to Seroquel then. Right?
 11 A. Correct.
 12 Q. Have you ever been what is
 13 called a database administrator at
 14 AstraZeneca?
 15 A. No, I have not.
 16 Q. Do each of the databases
 17 that we just discussed in the list have a
 18 database administrator? Just in general
 19 terms. I'm going to go over these
 20 individually in a little bit.
 21 A. In general, yes.
 22 Q. Did you help design or
 23 participate in the development of any of
 24 these databases?

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1 MR. TORREGROSSA: Objection.
 2 Compound.
 3 BY MR. SMITH:
 4 Q. Did you help design any of
 5 these databases?
 6 A. No.
 7 Q. Did you participate in the
 8 development of any of these databases?
 9 A. I did not do any development
 10 work on any of these databases.
 11 Q. Any programming?
 12 A. Yes. I did programming with
 13 SnapPharma.
 14 Q. SnapPharma?
 15 MR. TORREGROSSA: Keep your
 16 voice up just a bit.
 17 THE WITNESS: I'm sorry.
 18 BY MR. SMITH:
 19 Q. Any others?
 20 A. No.
 21 Q. Now, did you come from the
 22 Astra side or the Zeneca side prior to
 23 the merger?
 24 A. Zeneca.

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1 MR. TORREGROSSA: Can I have
 2 a one-minute break?
 3 MR. SMITH: Sure.
 4 - - -
 5 (A recess was taken from
 6 11:34 a.m. to 11:38 a.m.)
 7 - - -
 8 BY MR. SMITH:
 9 Q. Why don't we cover some
 10 basics, make sure that we're all on the
 11 same page. What is a database?
 12 A. A database is a place in
 13 which you store data for a system. Data
 14 is pieces of information -- data is just
 15 that, it's data.
 16 Q. How is information stored or
 17 organized in a database?
 18 A. A database stores data. The
 19 way you connect those pieces of data
 20 provides the information.
 21 Q. Is it organized within
 22 tables?
 23 A. Yes, sir.
 24 Q. And the tables contain rows

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1 of data?
 2 A. Yes.
 3 Q. And there are fields of data
 4 in the tables?
 5 A. Yes, sir.
 6 Q. Are the fields -- and by
 7 "field," is that a category of
 8 information that is tracked in the
 9 database?
 10 A. Yes.
 11 Q. And you can search by fields
 12 in a database?
 13 A. Yes.
 14 Q. And the purpose of a
 15 database is to retain information in
 16 electronic format that is easily
 17 accessible?
 18 MR. TORREGROSSA: Objection
 19 to form.
 20 THE WITNESS: The purpose is
 21 to contain information in
 22 electronic format. Easy is a
 23 relative term.
 24 BY MR. SMITH:

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1 Q. Are spreadsheets used as
 2 collections of data within AstraZeneca?
 3 A. My understanding,
 4 spreadsheets have been used to collect
 5 data.
 6 Q. Are you familiar with some
 7 of the spreadsheets that are used as
 8 such?
 9 A. I am not.
 10 Q. Do you know where
 11 spreadsheets would be maintained?
 12 MR. TORREGROSSA: For which?
 13 What are we talking about? Sales
 14 or what are we talking about here?
 15 MR. SMITH: Well, he's
 16 involved with Commercial, so I
 17 guess if we have spreadsheets that
 18 are not a part of the database,
 19 where would AstraZeneca employees
 20 keep those spreadsheets
 21 electronically.
 22 MR. TORREGROSSA: So if I
 23 understand your question,
 24 computer-wise, is there a general

1 place that AstraZeneca employees
 2 keep their spreadsheets?
 3 MR. SMITH: That's a
 4 starting point. We may have to
 5 expound on that.
 6 BY MR. SMITH:
 7 Q. But is there a place within
 8 the computer system where they would keep
 9 spreadsheets?
 10 A. In general, you can keep it
 11 in your -- on your laptop, on your
 12 desktop or on the server.
 13 Q. Is there any policy as far
 14 as retaining those spreadsheets?
 15 A. For an explicit spreadsheet,
 16 no.
 17 Q. They would be contained on a
 18 laptop or on a PC?
 19 A. Yes.
 20 Q. And each employee's, let's
 21 say, PC, how is that backed up?
 22 A. The PCs are backed up by an
 23 agent called DLO to a server.
 24 Q. Can you tell me what DLO

1 stands for?
 2 A. I do not know.
 3 Q. And it's backed up to the
 4 server, what is that server called?
 5 A. The DLO server.
 6 Q. Fair enough. How often is
 7 that done?
 8 A. My understanding of the
 9 process is it's done pretty much on a
 10 daily basis when you're connected.
 11 Q. How long would those backups
 12 be retained?
 13 A. The backups exist on the
 14 server and as long as you're working on
 15 the system.
 16 Q. If you want to extract
 17 information from a database, you would do
 18 a search, you could do a search?
 19 A. Yes.
 20 Q. Or to find information I
 21 should say, you could do a search.
 22 Right?
 23 A. Yes. You would use a tool
 24 to query the database.

1 Q. And these applications that
 2 we're talking about today, those are such
 3 tools, they allow you to search a
 4 database by query? We'll go into more
 5 detail, particulars later, but in general
 6 terms.
 7 MR. TORREGROSSA: In general
 8 terms do every one of these
 9 databases allow a search?
 10 MR. SMITH: Yes.
 11 THE WITNESS: In general
 12 terms, a database, these databases
 13 could be searched.
 14 BY MR. SMITH:
 15 Q. And if you could search it,
 16 can you generate a report?
 17 A. You can provide the data in
 18 a format, yes.
 19 Q. And those reports could be
 20 exported?
 21 A. Yes.
 22 Q. Are you familiar with the
 23 term "schema"?
 24 A. Yes.

1 Q. Is that the same or
 2 different from the -- I used the term
 3 "data map" earlier, and you said
 4 relational -- I forget what your term was
 5 for a data map. You had a term for a
 6 data map?
 7 A. ERD.
 8 Q. ERD. Would an ERD be
 9 different from a schema?
 10 A. I believe they would be
 11 similar in nature.
 12 Q. Would a schema be something
 13 that would tell you how to use a system?
 14 MR. TORREGROSSA: We're
 15 talking generally here?
 16 MR. SMITH: In general. So
 17 if we use that term later, we'll
 18 be talking about the same thing.
 19 MR. TORREGROSSA: Yes, sir.
 20 THE WITNESS: It would not
 21 tell you how to use a system.
 22 BY MR. SMITH:
 23 Q. Would it describe how the
 24 system works?