

# **EXHIBIT 75**

From: HTTP News/HPD/Abbott@Exchange  
To: Grice E Williams/LAKE/CORP/ABBOTT@ABBOTT  
Subject: Latest E-mails from HTTP News E-Mailbox  
Date: 11/04/2003 15:25:05 (GMT-06:00)

Grice,

Here are the most recent benefits questions that require a reply. As expected, most of these focus on retirement benefits. I will be sending you several additional e-mails in the next hour that require a response. Please let me know if you have any questions.

Best,  
Tareta  
x8-4310

Attachments: {{MSG001.RTF; {{MSG002.RTF; {{MSG003.RTF;  
{{MSG004.RTF; {{MSG005.RTF; {{MSG006.RTF; {{MSG007.RTF;  
{{MSG008.RTF; {{MSG009.RTF; {{MSG010.RTF

A021241

From: HTT News APX  
To: HTT News APX  
cc:  
Subject: HTT Web Site Question and Feedback

First Name: Judith

Last Name: Banks

Email Address: Judith.Banks @Abbott.com

Question/Comment

When I started working for Abbott, I was not allowed to join the annuity program because of my age. I have received my retirement estimates and noticed that I am not being given credit for the first five years. I was told if I worked until I was 55, I would be given credit for those years. If I stay with the new company until I'm 55, will that still happen? Compared to a 1993 estimate that included all of my years service, I will lose a substantial amount of money if it doesn't happen.

A021242

From: HTT News APX  
To: HTT News APX  
cc:  
Subject: HTT Web Site Question and Feedback

First Name: Roy S.

Last Name: Gonzales

Email Address: Gonzars@hpd.abolt.com

Question/Comment

Will there be a waiting period for new company employees to start retirement plan once the company is in operation?

A021243

From: HTT News APX  
To: HTT News APX  
cc:  
Subject: HTT Web Site Question and Feedback

First Name: Jerry

Last Name: Rowland

Email Address: Jerry.Rowland@Abbott.com

Question/Comment

I am an 18 1/2 year Abbott employee that is nearly 49 years of age. I need to know the disposition of the Abbott Retirement Annuity Plan and my 18 years of benefit service toward the Abbott Retirement Annuity Plan payments as soon as possible.

I believe that, in the past, corporations that have implemented new "spin-off" companies have transferred all the assets that are required to meet the existing and future retirement annuity payment obligations for the affected employees of the newly-created "spin-off" company. The new "spin-off" company has then honored the retirement annuity contracts as they existed in the parent company. In other words, the employee with 18 years of benefit service toward the Abbott retirement annuity plan would begin his/her employment at the new "spin-off" company with 18 1/2 years of benefit service toward the same exact Retirement Annuity Plan payments, just as if they had stayed with Abbott until eventual retirement.

Will this be the case in our situation?

Please let me know as soon as possible.

Jerry Rowland  
1000 Bert Drive  
Arlington, TX 76012  
817-265-4947 (Home)  
800-385-8523 (Voicemail Message Pager)

A021244

From: Customer Service  
To: Bennie Bell  
cc:  
Subject: Re: Other (KMM1741089I3207L0KM)

Hello Bennie ,

Your inquiry has been forwarded to the Hospital Transition Team. Someone from that area will get back to you with an answer to your question. Due to the volume of questions we are receiving, please allow 7-10 days for the response.

Please let us know if we can be of further assistance.

Regards,  
Trisha  
Abbott Laboratories  
Corporate Public Affairs

Original Message Follows:

-----  
Form Message

First Name: Bennie  
Last Name: Bell  
Full Name: Bennie Bell  
Address 1: 161 shady Grove Church Rd  
City: Snow Hill  
State: NC  
Zip Code: 28580  
Phone: 252-747-5802  
Other: New Company takeover  
Question/Comments: Will there be a package deal offered to those who are eligible to retire at the end of the year or at the time the new company takes over to persuade early retirement?

A021245

From: HTT News APX  
To: HTT News APX  
cc:  
Subject: HTT Web Site Question and Feedback

First Name: Judy

Last Name: Davis

Email Address: davisjl1@hpd.abbott.com

**Question/Comment**

I read the new HR/Retirement announcement for 11/3. I am 50 and had plans to retire at 55. I understand my benefits earned will be unaffected through 12/31/04. My concern is will I be able to receive additional retirement benefits from the new company from 01/01/05 through my planned retirement of 2008. In other words would my retirement pension amount be the same in 2008 with the new company as if Abbott had stayed whole and I retired in 2008?

A021246

From: HTT News APX  
To: HTT News APX  
cc:  
Subject: HTT Web Site Question and Feedback

First Name: Steve

Last Name: Corning

Email Address: cornisa@hpd.abbott.com

Question/Comment

If I am not retirement eligible, am going to the new company, and have stock options in Abbott stock, am I able to exercise the options later, (after I am a newco employee), or will the few I have with value need to be exercised as an Abbott employee?

A021247

From: HTT News APX  
To: HTT News APX  
cc:  
Subject: HTT Web Site Question and Feedback

First Name: Thomas

Last Name: Leonard

Email Address: tom.j.leonard@abbott.com

Question/Comment

I am 57 years old and have 7 1/2 years of service with Abbott. Seeing you are fully vested in the Pension Plan after 5 yrs and I have exceeded the retirement age of 50, can I retire from Abbott/New Company in 2004?

If not, will my years of service, for the pension plan and health benefits, carry over to the New Co.? How many more years do I have to work for the new company before I can retire and collect a pension and health benefits?

A021248

From: HTT News APX  
To: HTT News APX  
cc:  
Subject: HTT Web Site Question and Feedback

First Name: Ingrid

Last Name: Green

Email Address: greenir2@hpd.abbott.com

Question/Comment

My question is in reference to the example given for the employee named "Jim" in the publication entitled "Information on Retirement Benefits for US Employees Joining the New Company".

Questions:

I am 48 years old. I will be 49 (02/04) when the company separates.

If I work for the new company till my 50th Birthday which will occur in 02/05, will I have the option to retire and begin drawing annuity/pension payments?

When will the on-line calculator be available for determining annuity/pension monthly payments?

Thanks, Ingrid Green

A021249

From: HTT News APX  
To: HTT News APX  
cc:  
Subject: HTT Web Site Question and Feedback

First Name: JOY

Last Name: VOTH

Email Address: Joy M Voth/MCPHERSON/HPD/ABBOTT@ABBO

Question/Comment

WILL A PERSON STILL BE ABLE TO TAKE EARLY  
RETIREMENT AT THE AGE OF 50 WITH THE NEW  
COMPANY, PROVIDED THEY HAVE ENOUGH YEARS OF  
SERVICE, I'M 45 AND HAVE BEEN AT THE MCPHERSON  
PLANT SINCE 1981. THANKS JOY

A021250

From: HTT News APX  
To: HTT News APX  
cc:  
Subject: HTT Web Site Question and Feedback

First Name: Vickie

Last Name: O'Bannon

Email Address: vickie.obannon@abbott.com

Question/Comment

Will the option with the social security amount added in on early retirement still be an option, or just the level income.

**A021251**

# **EXHIBIT 76**

**(Filed under seal)**

# **EXHIBIT 77**



Page 2

1 PRESENT:  
 2 MEITES, MULDER, MOLLIKA & GLINK  
 3 BY: MS. JAMIE S. FRANKLIN  
 4 20 South Clark Street, Suite 1500  
 5 Chicago, IL 60603  
 6 (312) 263-0272  
 7 on behalf of the Plaintiffs;  
 8 WINSTON & STRAWN  
 9 BY: MR. JOSEPH H. TORRES  
 10 35 West Wacker Drive  
 11 Chicago, IL 60601-9703  
 12 (312) 558-5600  
 13 on behalf of Defendant  
 14 Abbott Laboratories;  
 15  
 16 JENNER & BLOCK, LLP  
 17 BY: MR. CHRISTOPHER LIGUORI  
 18 One IBM Plaza, 44th Floor  
 19 Chicago, IL 60611  
 20 (312) 222-9350  
 21  
 22 on behalf of Defendant  
 23 Hospira, Inc.  
 24

Page 3

1	I N D E X	
2	WITNESS	PAGE
3	MICHAEL LOUGHERY	
4	EXAMINED BY	
5	Mr. Torres	4
6		
7	EXHIBITS	
8	NUMBER	MARKED FOR ID
9	Deposition Exhibit	
10	No. 1	5
11	No. 2	13
12		
13		
14		
15		
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19		
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22		
23		
24		

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1 MICHAEL LOUGHERY,  
 2 having been first duly sworn, was examined and  
 3 testified as follows:  
 4 EXAMINATION  
 5 BY MR. TORRES:  
 6 Q. Mr. Loughery, my name is Joe Torres. I'm  
 7 an attorney for Abbott Labs. I'm going to be asking  
 8 you a few questions today about the fourth count of  
 9 your amended complaint; all right?  
 10 A. Okay.  
 11 Q. You recall that you previously provided  
 12 documents to your counsel to produce in this  
 13 litigation?  
 14 A. Yes.  
 15 Q. And you subsequent to that production, or  
 16 at least initial production, you caused to be filed  
 17 an amended complaint in this action; is that correct?  
 18 A. Correct.  
 19 Q. Do you have any other documents in your  
 20 possession other than what you have already provided  
 21 to your counsel that you believe support in any way  
 22 the allegations of Count IV?  
 23 A. I have a number of documents that I have in  
 24 my possession that may or may not, I'm not sure at

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1 this time.  
 2 Q. You have not discussed those with your  
 3 counsel yet?  
 4 A. Briefly I have.  
 5 Q. Have you provided them to your counsel?  
 6 A. Yes.  
 7 Q. Again, I don't want to know what you said  
 8 to your counsel, so you have provided them to your  
 9 counsel?  
 10 A. Uh-huh.  
 11 Q. You have to say yes or no.  
 12 A. Yes.  
 13 (Document marked as Exhibit No. 1 for  
 14 identification.)  
 15 Q. I'm going to hand you what's been marked as  
 16 Loughery Deposition Exhibit Number 1, if you could  
 17 review that. Have you seen that document before?  
 18 A. Yes.  
 19 Q. This is the amended complaint that was  
 20 filed in this action; is that correct?  
 21 A. It appears to be, yes.  
 22 Q. Did you review that document before it was  
 23 filed with the court?  
 24 A. Yes.

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1 Q. Do you remember the names of any other  
 2 recruiters you have worked with?  
 3 A. I have had conversations with a Bill Kuntz  
 4 who is the manager of the MRI office in Indianapolis.  
 5 Q. What's MRI?  
 6 A. Management Recruiters Inc.  
 7 Q. Anyone else you recall?  
 8 A. I've got a calendar and a file of people  
 9 that I have talked to and cards that they have given  
 10 me. Without that in front of me, I don't recall.  
 11 Q. Okay. Am I correct then you have only  
 12 applied for one job in 2006?  
 13 A. I don't recall.  
 14 Q. Do you remember how many jobs you -- well,  
 15 you applied for this one job in 2006, correct?  
 16 A. Correct.  
 17 Q. Do you remember if you applied for any  
 18 others in 2006?  
 19 A. Not that I recall at this time.  
 20 Q. How about 2005 or if you applied for any  
 21 jobs in 2005?  
 22 A. Not that I recall at this time.  
 23 Q. You don't recall applying for any?  
 24 A. Not at this time, I don't recall that.

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1 Q. But you do recall applying for a number in  
 2 2004?  
 3 A. Uh-huh.  
 4 Q. You have to say yes or no.  
 5 A. Yes.  
 6 MR. TORRES: Off the record.  
 7 (Discussion off the record.)  
 8 Q. Just a couple more questions, Mr. Loughery.  
 9 Have you applied for any jobs at Abbott?  
 10 A. No, I haven't.  
 11 Q. Have you looked at any possible jobs at  
 12 Abbott?  
 13 A. No.  
 14 Q. You don't know whether there's any jobs you  
 15 might be qualified for or not?  
 16 A. Correct.  
 17 Q. And with respect to the jobs that you have  
 18 looked for since the spin was announced to date, what  
 19 are the things you're looking for in another  
 20 position?  
 21 A. Competitive salary.  
 22 Q. I'm sorry, what's your current salary?  
 23 A. I'm right at about 87 on a base and then  
 24 our commission structure is on top of that.

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1 Q. What does that take you to roughly?  
 2 A. It roughly averages about 25 a year.  
 3 Q. So 115, 110 base and commission?  
 4 A. Yes.  
 5 Q. So competitive relative to that?  
 6 A. Yes.  
 7 Q. Okay. What else?  
 8 A. Benefits, benefit package.  
 9 Q. What specifically?  
 10 A. Similar to what I had with Abbott.  
 11 Q. So I mean, can you be more specific?  
 12 A. I would say a pension plan, retirement  
 13 healthcare, medical, dental coverage, vision, flex  
 14 spending, profit sharing, life, the life insurance  
 15 that they offer, disability insurance.  
 16 Q. Did all these jobs that you applied for  
 17 offer benefits that you considered competitive to  
 18 that?  
 19 A. We really didn't get into the discussions  
 20 about the benefits packages at that time.  
 21 Q. How about the two that you actually --  
 22 meaning the ones you applied for, you didn't  
 23 necessarily know what benefits they offered?  
 24 A. Correct.

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1 Q. What about the two that you interviewed  
 2 for, that was Clark Food Service and Connecticut  
 3 Mutual, was their benefit structure competitive in  
 4 your opinion?  
 5 A. I don't recall at this time.  
 6 MR. TORRES: Nothing further. Thank you.  
 7 THE WITNESS: If I may just -- you had  
 8 mentioned about the number of companies and the  
 9 activity and that type of thing in terms of looking  
 10 for jobs and that type of thing.  
 11 BY MR. TORRES:  
 12 Q. Yes.  
 13 A. And the time frame that you are giving  
 14 between the announcement of the spin off and June  
 15 '04, one thing that I tried to do and the reason I  
 16 was so active in the back half of '03 is that I was  
 17 seriously looking at the possibility of retiring  
 18 before these benefit changes took effect. And I  
 19 think had I known that the benefits were going to end  
 20 up the way they were, I would definitely have taken  
 21 retirement in '03.  
 22 Q. You're free to do that now, correct, sir?  
 23 A. I can do that now, yes.  
 24 Q. To the extent that you were an employee who

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1 announced, August 22, 2003.  
 2 A. Okay.  
 3 Q. Until June of '04 when the future Hospira  
 4 benefits were announced, if you had known before June  
 5 of '04 what the benefits of Hospira would have been,  
 6 what would you have done differently than what you  
 7 did do, if anything?  
 8 A. I would have been more aggressive in  
 9 seeking employment elsewhere.  
 10 Q. Were you seeking employment elsewhere when  
 11 the spin was announced?  
 12 A. Not when the spin was announced.  
 13 Q. Okay.  
 14 A. After the spin was announced I was. I was  
 15 very active.  
 16 Q. You were very active?  
 17 A. Yes.  
 18 Q. What do you mean by very active?  
 19 A. Talking with people, looking for  
 20 opportunities, trying to network with people, because  
 21 of my situation as retirement eligible and with these  
 22 changes coming up effective January 1 of '04, with  
 23 benefits changing and employees were going to be  
 24 paying more of their share, looking at the

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1 opportunities of possibly retiring and locking into  
 2 those benefits prior to the end of the year.  
 3 Q. That was a decision Abbott had already  
 4 announced prior to announcing the spin, though,  
 5 correct?  
 6 A. Correct.  
 7 Q. They announced that in June of 2003?  
 8 A. They announced it I believe it was in June  
 9 of '03. And then right before the announcement,  
 10 which was I believe on a Friday, Monday, Tuesday and  
 11 Wednesday I was in Chicago for a regional meeting,  
 12 and human resources was there as part of that  
 13 meeting, and they went through those -- what those  
 14 changes were going to be.  
 15 Q. And that was going to increase the cost or  
 16 change the formulas for eligibility or benefit  
 17 accrual --  
 18 A. Correct.  
 19 Q. -- after 2004, correct?  
 20 A. Correct.  
 21 Q. So were you looking for other jobs because  
 22 of those changes or because the spin was announced or  
 23 both?  
 24 A. Both.

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1 Q. So can you separate in your mind what you  
 2 would have done differently after the spin was  
 3 announced had you known what the benefits were going  
 4 to be versus what you may have been doing because  
 5 these changes were coming effective 1-1-04?  
 6 A. If I knew that the benefits were not going  
 7 to be carried forward similar to what we had with  
 8 Abbott, I would have been more active looking for  
 9 employment elsewhere.  
 10 Q. But you were looking for employment  
 11 elsewhere once the spin was announced, correct?  
 12 A. After the spin was announced, yes.  
 13 Q. Were you looking for other employment  
 14 before the spin was announced in relation to the  
 15 benefit changes that had been proposed?  
 16 A. Not that I recall.  
 17 Q. I see. But I think you just testified  
 18 after the spin was announced, your seeking  
 19 alternative employment was motivated both by the spin  
 20 and these changes that were going to become effective  
 21 1-1-04?  
 22 A. Correct.  
 23 Q. And so if you recall, do you know what you  
 24 were doing in -- you said you were networking?

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1 A. Uh-huh.  
 2 Q. You have to say yes or no.  
 3 A. Yes.  
 4 Q. Did you contact anyone specifically and  
 5 apply for employment elsewhere?  
 6 A. I applied for employment and I don't recall  
 7 the exact dates of those.  
 8 Q. How many times did you apply for jobs?  
 9 A. I don't know at this point.  
 10 Q. Less than 10 or more than 10?  
 11 A. Less than 10.  
 12 Q. Less than 5 or more than 5?  
 13 A. Actual applications to companies?  
 14 Q. Yes.  
 15 A. Probably less than five.  
 16 Q. Did you receive any job interviews from  
 17 those applications?  
 18 A. Yes, I did.  
 19 Q. Did you go on those job interviews?  
 20 A. Yes, I did.  
 21 Q. What were the names of the companies that  
 22 you interviewed with?  
 23 A. One was Elan Pharmaceutical, Endo  
 24 pharmaceutical, a company called BI out of

# **EXHIBIT 78**

1                   IN THE UNITED STATES DISTRICT COURT  
2                   NORTHERN DISTRICT OF ILLINOIS  
3                   EASTERN DIVISION

4           MYLA NAUMAN, JANE ROLLER and        )  
5           MICHAEL LOUGHERY,                    )  
6                                                    )  
7                                            Plaintiffs,        ) No. 04 C 7199  
8                                                    )  
9                                                    )  
10                                                    )  
11                                                    )  
12                                                    )  
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19                                                    )  
20                                                    )  
21                                                    )  
22                                                    )  
23                                                    )  
24                                                    )  
                                                  ) Hon. Robert W.  
                                                  ) Gettleman  
                                                  ) Mag. Geraldine  
                                                  ) Soat Brown

9  
10  
11                   The deposition of JANE ROLLER, called by  
12                   the Defendants for examination, pursuant to Notice  
13                   and pursuant to the Federal Rules of Civil Procedure  
14                   for the United States District Courts, taken before  
15                   Renee E. Brass, CSR and Notary Public in and for the  
16                   County of Cook and State of Illinois, at 330 North  
17                   Wabash Avenue, 48th Floor, Chicago, Illinois, on the  
18                   2nd day of November, 2006, at the hour of 10:05 a.m.

1 PRESENT:  
 2  
 3 MEITES, MULDER, MOLLICA & GLINK  
 BY: MS. JAMIE S. FRANKLIN  
 20 South Clark Street, Suite 1500  
 4 Chicago, IL 60603  
 (312) 263-0272  
 5  
 and  
 6  
 7 SPRENGER & LANG, PLLC,  
 BY: MR. MARK AMADEO  
 1400 Eye Street, N.W., Suite 500  
 8 Washington, D.C. 20005,  
 (202) 772-1149  
 9  
 on behalf of the Plaintiffs;  
 10  
 11 WINSTON & STRAWN  
 BY: MR. JOSEPH H. TORRES  
 35 West Wacker Drive  
 12 Chicago, IL 60601-9703  
 (312) 558-5600  
 13  
 on behalf of Defendant  
 14 Abbott Laboratories;  
 15 JENNER & BLOCK, LLP  
 BY: MR. CHRISTOPHER D. LIGUORI  
 16 One IBM Plaza, 44th Floor  
 Chicago, IL 60611  
 17 (312) 222-9350  
 18 on behalf of Defendant  
 Hospira, Inc.  
 19  
 20  
 21  
 22  
 23  
 24

1 JANE ROLLER,  
 2 having been first duly sworn, was examined and  
 3 testified as follows:  
 4 EXAMINATION  
 5 BY MR. TORRES:  
 6 Q. Ms. Roller, my name is Joe Torres. I'm an  
 7 attorney for Abbott Laboratories and I'm going to be  
 8 asking you some questions today about Count IV of  
 9 your amended complaint, all right?  
 10 A. Okay.  
 11 Q. Ms. Roller, you've previously produced  
 12 documents in this lawsuit that you believe support  
 13 your claim; is that correct?  
 14 A. Yes.  
 15 Q. And subsequent to producing those  
 16 documents, your lawyers filed an amended complaint in  
 17 this matter; is that correct?  
 18 A. Yes.  
 19 Q. Since the time that you -- I'm sorry,  
 20 strike that.  
 21 Are there any other documents in your  
 22 possession that have not been produced that you  
 23 believe support the allegations of Count IV of your  
 24 amended complaint?

1	INDEX	
2	WITNESS	PAGE
3	JANE ROLLER	
4	EXAMINED BY	
5	Mr. Torres	4
6		
7	EXHIBITS	
8	NUMBER	MARKED FOR ID
9	Deposition Exhibit	
10	No. 1	5
11	No. 2	30
12		
13		
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1 A. No, not that I can recall right now. I  
 2 have submitted everything to my attorney.  
 3 Q. After -- strike that.  
 4 MR. TORRES: Go ahead and mark this please.  
 5 (Document marked as Exhibit No. 1 for  
 6 identification.)  
 7 Q. Ms. Roller, the court reporter has handed  
 8 you what's been marked as Deposition Exhibit 1, which  
 9 is the amended complaint that was filed in this  
 10 matter. Have you seen that before?  
 11 A. Yes.  
 12 Q. Did you review this document before it was  
 13 filed with the court?  
 14 A. Yes.  
 15 Q. I'm going to ask you some questions about  
 16 the allegations that begin on page 24 of this  
 17 complaint, just for reference, and really in  
 18 particular the exhibits that are attached at the  
 19 back, just so you understand where we're generally  
 20 focused.  
 21 A. Okay.  
 22 Q. I want to ask you to turn to -- if you see  
 23 at the top of the document, it's paginated by the  
 24 court's filing system, you see page 30 of 24 and 25,

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1 Q. October 2003?  
 2 A. Yes.  
 3 Q. We previously were looking at the documents  
 4 in August, now you don't think he knew then, but you  
 5 think he knew by October?  
 6 MR. AMADEO: Objection, misstates  
 7 testimony.  
 8 THE WITNESS: That wasn't what I said. I  
 9 said I don't know when he knew, but I do know that he  
 10 knew in October.  
 11 BY MR. TORRES:  
 12 Q. I see. Well, had you known that the  
 13 benefits were going to be different at Hospira prior  
 14 to the spin, what would you have done differently?  
 15 MR. AMADEO: Objection, calls for  
 16 speculation, it's an improper hypothetical. But you  
 17 can answer.  
 18 THE WITNESS: I believe I talked about  
 19 that some in the first deposition.  
 20 BY MR. TORRES:  
 21 Q. Okay.  
 22 A. But I would have started taking phone calls  
 23 earlier than I did from recruiters, which I never had  
 24 done because I never ever looked at making a job

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1 change from Abbott.  
 2 Q. Okay. What else?  
 3 A. I would have potentially taken another job.  
 4 And I also think that if I would have known, I would  
 5 have possibly suggested having a meeting earlier with  
 6 Chris Begley than what I testified to before. When I  
 7 had attempted to make a meeting possible at a meeting  
 8 that we had in July of 2004, I believe I would have  
 9 tried to have done something earlier to not make  
 10 this -- to not make this happen.  
 11 MR. LIGUORI: Can I have that answer back  
 12 please.  
 13 (Record read as requested.)  
 14 BY MR. TORRES:  
 15 Q. So is it your testimony that you had  
 16 received job offers before the spin occurred?  
 17 MR. AMADEO: Objection, misstates the  
 18 testimony.  
 19 THE WITNESS: I didn't say that at all.  
 20 BY MR. TORRES:  
 21 Q. So you didn't have any job offers before  
 22 the spin off occurred?  
 23 A. I said that --  
 24 Q. Go ahead.

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1 A. I had never even been open to looking for  
 2 another job my whole career with Abbott.  
 3 Q. Just so I'm clear, you didn't have a job  
 4 offer to go elsewhere before the spin off became  
 5 effective; is that right?  
 6 A. I can't recall if I ever had any job offers  
 7 in that time period. I never -- I never even  
 8 entertained the thought.  
 9 Q. So you may have had a job offer before the  
 10 spin off was effective?  
 11 A. I don't recall having any job offers. I  
 12 never was looking for a job.  
 13 Q. Is it your testimony that you weren't  
 14 looking for jobs because you believe the benefits  
 15 were going to be the same, is that the only reason  
 16 you weren't looking for a job?  
 17 MR. AMADEO: Objection, argumentative,  
 18 misstates the testimony.  
 19 THE WITNESS: The benefits were huge to me  
 20 and losing this was devastating, so the benefits  
 21 package meant -- it meant a lot to me, and so it was  
 22 one of the key things that kept me from ever  
 23 returning any recruiters calls, ever really  
 24 entertaining the thought of making a change.

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1 BY MR. TORRES:  
 2 Q. And once you found out what the benefits  
 3 were going to be at Hospira, I take it then you  
 4 started accepting calls from recruiters?  
 5 A. Yes.  
 6 Q. You've applied for jobs?  
 7 A. I haven't actually made an application for  
 8 a job, no.  
 9 Q. Have you received any job offers?  
 10 A. No.  
 11 Q. How many calls have you received from  
 12 headhunters since the spin became effective?  
 13 A. I don't recall.  
 14 Q. Do you get them weekly?  
 15 A. In the beginning -- now we're into this  
 16 about three years -- I got calls probably once every  
 17 two or three weeks and now it's probably about maybe  
 18 once a quarter.  
 19 Q. When you say at the beginning, once the  
 20 spin became effective?  
 21 A. No, once our benefits were announced, which  
 22 I believe was around June 2004, I started to accept  
 23 the calls after that.  
 24 Q. So is that when you say you were getting

# **EXHIBIT 79**

1                   IN THE UNITED STATES DISTRICT COURT  
2                   NORTHERN DISTRICT OF ILLINOIS  
3                   EASTERN DIVISION

4           MYLA NAUMAN, JANE ROLLER and        )  
5           MICHAEL LOUGHERY,                    )  
6                                                    )  
7                                            Plaintiffs,        ) No. 04 C 7199  
8                                                    )  
9                                                    )  
10                                            ) vs.                                            )  
11                                                    )  
12                                                    ) Hon. Robert W.  
13           ABBOTT LABORATORIES and            ) Gettleman  
14           HOSPIRA, INC.,                        )  
15                                                    )  
16                                                    ) Mag. Geraldine  
17                                            Defendants.        ) Soat Brown  
18

19                   The deposition of MYLA NAUMAN, called by  
20                   the Defendants for examination, pursuant to Notice  
21                   and pursuant to the Federal Rules of Civil Procedure  
22                   for the United States District Courts, taken before  
23                   Renee E. Brass, CSR and Notary Public in and for the  
24                   County of Cook and State of Illinois, at 330 North  
                  Wabash Avenue, 48th Floor, Chicago, Illinois, on the  
                  3rd day of November, 2006, at the hour of 10:03 a.m.

Page 2

1 PRESENT:  
 2 SPRENGER & LANG, PLLC,  
 3 BY: MR. MARK AMADEO  
 4 1400 Eye Street, N.W., Suite 500  
 5 Washington, D.C. 20005,  
 6 (202) 772-1149  
 7 on behalf of the Plaintiffs;  
 8 WINSTON & STRAWN  
 9 BY: MR. JOSEPH H. TORRES  
 10 35 West Wacker Drive  
 11 Chicago, IL 60601-9703  
 12 (312) 558-5600  
 13 on behalf of Defendant  
 14 Abbott Laboratories;  
 15  
 16 JENNER & BLOCK, LLP  
 17 BY: MS. GAYLE A. RANA  
 18 One IBM Plaza, 44th Floor  
 19 Chicago, IL 60611  
 20 (312) 222-9350  
 21  
 22 on behalf of Defendant  
 23 Hospira, Inc.  
 24

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8 EXHIBITS

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1 MYLA NAUMAN,  
 2 having been first duly sworn, was examined and  
 3 testified as follows:  
 4 EXAMINATION  
 5 BY MR. TORRES:  
 6 Q. Ms. Nauman, my name is Joseph Torres. I'm  
 7 an attorney for Abbott Labs, and I'm going to be  
 8 asking you some questions today about the amended  
 9 complaint that you filed in this matter, all right?  
 10 A. Yes, sir.  
 11 Q. Before you -- strike that.  
 12 You recall in this litigation that you  
 13 produced documents in response to our discovery  
 14 requests; is that right?  
 15 A. Yes.  
 16 Q. And since the time you made your initial  
 17 production, you then filed your amended complaint in  
 18 this matter; is that right?  
 19 A. Yes.  
 20 Q. Do you have anything else in your  
 21 possession that has not been produced that you  
 22 believe supports the allegations of Count IV of the  
 23 amended complaint?  
 24 A. No, sir, I don't believe so.

Page 5

1 (Document marked as Exhibit No. 1 for  
 2 identification.)  
 3 Q. Ms. Nauman, the court reporter has handed  
 4 you what's been marked as Nauman Deposition Exhibit  
 5 Number 1. Have you seen that document before?  
 6 A. Yes.  
 7 Q. This is the amended complaint that you  
 8 caused to be filed in this matter?  
 9 A. Yes.  
 10 Q. You reviewed this before it was submitted  
 11 to the court?  
 12 A. Yes.  
 13 Q. I'm going to be asking questions about the  
 14 exhibits that are attached to this document, so if  
 15 you can go to the back, there are a series of  
 16 exhibits starting with 1 through 4; is that correct?  
 17 A. Yes.  
 18 Q. And I want to start with Exhibit 1, which  
 19 is Bates stamped MN00022 through 23; is that correct?  
 20 A. Yes.  
 21 Q. That's a document that you produced in this  
 22 litigation?  
 23 A. Yes.  
 24 Q. This is an email that was sent from

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1 to spin.  
 2 I would have talked to my peers and tried  
 3 to see if we could get together as a group and do  
 4 something to prevent the results that I feel were  
 5 financially devastating, maybe stop the process, come  
 6 up with an alternative process, benefit program,  
 7 pension program, retiree medical and maybe seen if we  
 8 could have done something before it became  
 9 effectively a new company.  
 10 And I would have contacted recruiters. I  
 11 wouldn't have -- I always loved my job and loved the  
 12 benefits. I knew that I was going to have a good  
 13 package, so I stayed. I never really interviewed,  
 14 but referred people. But I would have actively paid  
 15 attention, looked at my options as far as other jobs.  
 16 I'd have contacted recruiters, because all  
 17 the reps have lists, so I would have pulled out all  
 18 those lists and sent resumes to everybody and looked  
 19 at options.  
 20 That particular year there were a lot of  
 21 jobs. There's been good periods and bad and that  
 22 time there were some good ones, and I would have  
 23 weighed the loss that I was going to lose for  
 24 quitting the company before 50 as far as taking that

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1 out of my accrued benefits to see if I could  
 2 compensate for a different job, so I would have  
 3 checked it all out.  
 4 Q. I actually have a couple more questions.  
 5 Just so I'm clear because I wasn't sure what your  
 6 answer was, Exhibit 2, if you could pull that out,  
 7 it's Exhibit 2 to the complaint, which is Exhibit 1,  
 8 was there -- is there more than one statement --  
 9 besides the new company will administer its own  
 10 compensation and benefit plans starting in 2004, do  
 11 you see that on that slide?  
 12 A. Right, second statement.  
 13 Q. Was there more than -- is there any other  
 14 statement that you think is inaccurate?  
 15 A. The current programs would stay in place  
 16 through December '04, when they changed after the  
 17 spin became effective.  
 18 Q. Any other statement on that that you think  
 19 is inaccurate?  
 20 A. The fact that nothing ever came to refute  
 21 this. Nothing was ever presented from the October  
 22 time frame, after Mr. Begley's email, to say there  
 23 will be no pension plan, that there will be a change.  
 24 Q. On this document is there -- so we have

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1 identified the new company will administer its own  
 2 compensation and benefits plan starting in 2004 as  
 3 something you think is inaccurate and --  
 4 A. The fact that it says that the new company  
 5 will administer it, I don't believe it was done by  
 6 the new company. I believe it was done by the old  
 7 company. It was done by Abbott. I don't believe that  
 8 the Hospira board made these decisions.  
 9 MR. AMADEO: No more questions.  
 10 MR. TORRES: Can you roll back to her prior  
 11 response, the long speech.  
 12 EXAMINATION (further)  
 13 BY MR. TORRES:  
 14 Q. Do you know if any jobs were available at  
 15 Abbott that you would have been qualified for?  
 16 A. I do not know for sure, but I know I'm  
 17 qualified for a lot of the ones at Abbott. I believe  
 18 there probably was. I do not know for sure.  
 19 Q. You don't know?  
 20 A. (Witness shakes head.)  
 21 Q. And you said that you would have tried to  
 22 talk to people about trying to change the decisions  
 23 that you think had been made; is that right?  
 24 A. Yes, sir.

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1 Q. Who would you have talked to?  
 2 A. The sales force is very strong and large  
 3 and vocal. We're sales people. I would have started  
 4 with the sales force and then gone to -- gotten them  
 5 as a group and possibly set meetings with HR and  
 6 management.  
 7 Q. Who in HR and management?  
 8 A. There's a chain. Henry was our contact, my  
 9 contact person, and we would have to go to our  
 10 probably divisional managers, and I would get several  
 11 of the divisions, not just mine, and take  
 12 representatives up to Chicago to meet with a  
 13 representative group of management, as high as we  
 14 could go.  
 15 Q. Management of who?  
 16 A. Management of the hospital products  
 17 division that was spun.  
 18 Q. And then you said that you thought that the  
 19 job market was good. What do you mean by that?  
 20 A. There are times that the medical companies  
 21 are expanding and there were some positions open  
 22 right around the time that the spin -- there was  
 23 activity and then there will be dead periods where  
 24 companies aren't expanding or there aren't jobs.

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1 Q. October 2003?  
 2 A. Yes.  
 3 Q. We previously were looking at the documents  
 4 in August, now you don't think he knew then, but you  
 5 think he knew by October?  
 6 MR. AMADEO: Objection, misstates  
 7 testimony.  
 8 THE WITNESS: That wasn't what I said. I  
 9 said I don't know when he knew, but I do know that he  
 10 knew in October.  
 11 BY MR. TORRES:  
 12 Q. I see. Well, had you known that the  
 13 benefits were going to be different at Hospira prior  
 14 to the spin, what would you have done differently?  
 15 MR. AMADEO: Objection, calls for  
 16 speculation, it's an improper hypothetical. But you  
 17 can answer.  
 18 THE WITNESS: I believe I talked about  
 19 that some in the first deposition.  
 20 BY MR. TORRES:  
 21 Q. Okay.  
 22 A. But I would have started taking phone calls  
 23 earlier than I did from recruiters, which I never had  
 24 done because I never ever looked at making a job

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1 change from Abbott.  
 2 Q. Okay. What else?  
 3 A. I would have potentially taken another job.  
 4 And I also think that if I would have known, I would  
 5 have possibly suggested having a meeting earlier with  
 6 Chris Begley than what I testified to before. When I  
 7 had attempted to make a meeting possible at a meeting  
 8 that we had in July of 2004, I believe I would have  
 9 tried to have done something earlier to not make  
 10 this -- to not make this happen.  
 11 MR. LIGUORI: Can I have that answer back  
 12 please.  
 13 (Record read as requested.)  
 14 BY MR. TORRES:  
 15 Q. So is it your testimony that you had  
 16 received job offers before the spin occurred?  
 17 MR. AMADEO: Objection, misstates the  
 18 testimony.  
 19 THE WITNESS: I didn't say that at all.  
 20 BY MR. TORRES:  
 21 Q. So you didn't have any job offers before  
 22 the spin off occurred?  
 23 A. I said that --  
 24 Q. Go ahead.

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1 A. I had never even been open to looking for  
 2 another job my whole career with Abbott.  
 3 Q. Just so I'm clear, you didn't have a job  
 4 offer to go elsewhere before the spin off became  
 5 effective; is that right?  
 6 A. I can't recall if I ever had any job offers  
 7 in that time period. I never -- I never even  
 8 entertained the thought.  
 9 Q. So you may have had a job offer before the  
 10 spin off was effective?  
 11 A. I don't recall having any job offers. I  
 12 never was looking for a job.  
 13 Q. Is it your testimony that you weren't  
 14 looking for jobs because you believe the benefits  
 15 were going to be the same, is that the only reason  
 16 you weren't looking for a job?  
 17 MR. AMADEO: Objection, argumentative,  
 18 misstates the testimony.  
 19 THE WITNESS: The benefits were huge to me  
 20 and losing this was devastating, so the benefits  
 21 package meant -- it meant a lot to me, and so it was  
 22 one of the key things that kept me from ever  
 23 returning any recruiters calls, ever really  
 24 entertaining the thought of making a change.

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1 BY MR. TORRES:  
 2 Q. And once you found out what the benefits  
 3 were going to be at Hospira, I take it then you  
 4 started accepting calls from recruiters?  
 5 A. Yes.  
 6 Q. You've applied for jobs?  
 7 A. I haven't actually made an application for  
 8 a job, no.  
 9 Q. Have you received any job offers?  
 10 A. No.  
 11 Q. How many calls have you received from  
 12 headhunters since the spin became effective?  
 13 A. I don't recall.  
 14 Q. Do you get them weekly?  
 15 A. In the beginning -- now we're into this  
 16 about three years -- I got calls probably once every  
 17 two or three weeks and now it's probably about maybe  
 18 once a quarter.  
 19 Q. When you say at the beginning, once the  
 20 spin became effective?  
 21 A. No, once our benefits were announced, which  
 22 I believe was around June 2004, I started to accept  
 23 the calls after that.  
 24 Q. So is that when you say you were getting

# **EXHIBIT 80**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

MYLA NAUMAN, JANE ROLLER )  
and MICHAEL LOUGHERY, )  
 )  
 Plaintiffs, )

-vs- )

ABBOTT LABORATORIES and )  
HOSPIRA, INCORPORATED, )  
 )  
 Defendants. )

Civil No. 04C-7199

Judge Gettleman

Magistrate Judge Brown

Deposition of JANE ROLLER, taken before KAREN  
KOSTAS, CSR, RMR, RDR and Notary Public, pursuant to the  
Federal Rules of Civil Procedure for the United States  
District Courts pertaining to the taking of depositions,  
at 35 West Wacker Drive, Suite 3700, in the City of  
Chicago, Cook County, Illinois, at 10:00 a.m. on the  
21st day of September, 2005.

1 There were present at the taking of this  
 2 deposition the following counsel:  
 3 SPRENGER & LANG PLLC by  
 4 MR. MARK A. AMADEO  
 5 1400 Eye Street  
 6 Suite 500  
 7 Washington, D.C. 20005  
 8 (202) 265-8010

9 on behalf of the Plaintiffs;

10 WINSTON & STRAWN by  
 11 MR. JAMES F. HURST  
 12 MS. CARDELLE SPANGLER  
 13 35 West Wacker Drive  
 14 Chicago, Illinois 60601  
 15 (312) 558-5600

16 on behalf of the Defendant,  
17 Abbott Laboratories;

18 JENNER & BLOCK LLP by  
 19 MR. CHRISTOPHER D. LIGUORI  
 20 One IBM Plaza  
 21 330 North Wabash Avenue  
 22 44th Floor  
 23 Chicago, Illinois 60611  
 24 (312) 222-9350

on behalf of the Defendant,  
Hospira, Incorporated.

-----

1 (Witness duly sworn.)  
 2 JANE ROLLER,  
 3 called as a witness herein, having been first duly sworn,  
 4 was examined and testified as follows:

5 EXAMINATION

6 by Mr. Hurst:

7 Q Miss Roller, that's how you pronounce it, right,  
8 Roller?

9 A Yes.

10 Q My name is Jim Hurst -- we met right before the  
11 deposition -- and I represent Abbott Laboratories. And  
12 I'm being joined by Cardelle Spangler who also  
13 represents Abbott Laboratories.

14 I just want to start with your background  
15 including your education.

16 Do you have a college degree?

17 A I do.

18 Q From where?

19 A Indiana University.

20 Q And when did you receive your college degree?

21 A In 1981.

22 Q And you received a degree in what?

23 A B.S. in business, marketing.

24 Q Do you have any other degrees?

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23 -----  
24

1 A No.  
 2 Q After you left Indiana University in 1981, did  
 3 you take employment?  
 4 A I did.  
 5 Q Where?  
 6 A I started my career with Land O Lakes in  
 7 Oshkosh, Wisconsin.  
 8 Q And how long were with Land O Lakes?  
 9 A Approximately four -- four years, I think.  
 10 Q What did you do there?  
 11 A I was a sales representative.  
 12 Q Selling what?  
 13 A Land O Lakes products, butter, margarin, cheese.  
 14 Q And you left Land O Lakes when, in about 1985 or  
 15 so?  
 16 A I did. And joined Motorola.  
 17 Q Why did you leave Land O Lakes?  
 18 A I wanted the ability to earn more money.  
 19 Q So you left for better opportunity elsewhere?  
 20 A Correct.  
 21 Q Okay. And what did you do for -- Well, first of  
 22 all, you went to Motorola and how long did you stay at  
 23 Motorola?  
 24 A Approximately two years.

1 A I can only -- I can only tell you what, you  
 2 know, what I personally believe.  
 3 MR. HURST: Q But I'm trying to focus on why you  
 4 personally believe that.  
 5 For instance, you've never seen a document  
 6 generated by anybody at Abbott Laboratories saying the  
 7 reason we're spinning off Hospira is because we want to  
 8 eliminate a benefits program; correct?  
 9 A That's correct. I don't think I've ever seen a  
 10 document like that.  
 11 Q And you have never talked to anybody at Abbott  
 12 Laboratories who you believed actually participated in a  
 13 decision where they said anything of that nature either,  
 14 correct?  
 15 A That's correct.  
 16 Q And are you aware of anybody that has any more  
 17 specific information than yourself about this notion  
 18 that Abbott Laboratories spun off Hospira because it  
 19 wanted to reduce its benefit burden -- benefits burden?  
 20 MR. AMADEO: Objection, it calls for speculation.  
 21 A No.  
 22 MR. HURST: Q You never participated, for  
 23 instance, in any meetings at Abbott Laboratories where  
 24 the prospect of a spin-off was discussed before you

1 learned about the spin-off; correct?  
 2 A That is correct.  
 3 Q And when was the very first time that you have  
 4 ever heard that Abbott was going to spin off Hospira?  
 5 A The very first time was the announcement. And I  
 6 believe it was in August of 2003.  
 7 Q So the first time you had -- Strike that.  
 8 The first time you learned that Hospira was  
 9 going to be spun off was after the decision was made,  
 10 correct?  
 11 A Correct.  
 12 Q And when was the first time you came to the  
 13 conclusion that this spin-off is occurring because  
 14 Abbott wants to reduce its benefits burden?  
 15 A The first time that it was fairly concrete in my  
 16 mind was in July of 2004.  
 17 Q July of 2004?  
 18 A Yes.  
 19 Q Why is that?  
 20 A I think what led up to this --  
 21 Q Strike that.  
 22 What happened in July of 2004 to lead you for  
 23 the first time in concrete to the conclusion that Abbott  
 24 was attempting to reduce its benefits burden when it

1 spun off Hospira?  
 2 MR. LIGUORI: Just so the record is clear, you guys  
 3 are talking about spinning off Hospira. I think it's  
 4 more accurate to say to spin off the Hospital Products  
 5 Division, because Hospira didn't exist at the time that  
 6 the spin-off was announced. So if we can correct the  
 7 record to say that it's a spin-off of the Hospital  
 8 Products Division.  
 9 MR. AMADEO: I think we're talking about the July,  
 10 2004 time frame; right?  
 11 MR. HURST: Yes.  
 12 MR. AMADEO: So it's after the spin-off.  
 13 MR. HURST: Let's just continue along. You would  
 14 prefer if I use HPD instead of Hospira?  
 15 MR. LIGUORI: Yes. I think that's just more  
 16 factually accurate.  
 17 MR. HURST: I've now forgotten my question.  
 18 Q What happened in July of 2004 to lead you to the  
 19 conclusion that Abbott spun off HPD for the purpose of  
 20 reducing its benefits burden?  
 21 A There was a meeting held in July where Chris  
 22 Begley was going to be speaking to our group. And I had  
 23 suggested that a possible group of people meet with him  
 24 privately to discuss a way that we would be able to work

1 together on a retiree medical plan.  
 2 There were some people within my company -- or  
 3 my division that had known Chris for many years past as  
 4 far as the critical care division. So I thought if we  
 5 had a meeting that we could come up with a possible plan  
 6 together to not allow this to happen, to have no retiree  
 7 medical benefits.  
 8 And that idea was -- was squashed and we were  
 9 presented -- the material was presented by Henry  
 10 Weishaar at that meeting and there was absolutely no  
 11 intention, interest, desire to -- to change that policy  
 12 or to listen to a discussion in relationship to the  
 13 possible participation in a retiree medical program.  
 14 And so that's when it became concrete in my mind.  
 15 Q And prior to July of 2004, Hospira had announced  
 16 that it was eliminating -- that it would not provide  
 17 retiree medical care?  
 18 A Yes.  
 19 Q And so after that decision was announced at  
 20 Hospira, you suggested a meeting with Chris Begley to  
 21 discuss implementing retiree medical at Hospira?  
 22 MR. AMADEO: Vague. Objection.  
 23 A How it could not be so. To come up to something  
 24 together, figure out a different way.

# **EXHIBIT 81**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

MYLA NAUMAN, JANE ROLLER )  
and MICHAEL LOUGHERY, )  
 )  
Plaintiffs, )

-vs- )

ABBOTT LABORATORIES and )  
HOSPIRA, INCORPORATED, )  
 )  
Defendants. )

Civil No. 04C-7199

Judge Gettleman

Magistrate Judge Brown

Deposition of MYLA NAUMAN, taken before KAREN  
KOSTAS, CSR, RMR, RDR and Notary Public, pursuant to the  
Federal Rules of Civil Procedure for the United States  
District Courts pertaining to the taking of depositions,  
at 35 West Wacker Drive, Suite 4800, in the City of  
Chicago, Cook County, Illinois, at 10:00 a.m. on the  
23rd day of September, 2005.

1 There were present at the taking of this  
 2 deposition the following counsel:  
 3 SPRENGER & LANG PLLC by  
 4 MR. MARK A. AMADEO  
 5 1400 Eye Street  
 6 Suite 500  
 7 Washington, D.C. 20005  
 8 (202) 265-8010

9 on behalf of the Plaintiffs;

10 WINSTON & STRAWN by  
 11 MR. JOSEPH J. TORRES  
 12 MS. CARDELLE SPANGLER  
 13 MR. JAMES F. HURST  
 14 35 West Wacker Drive  
 15 Chicago, Illinois 60601  
 16 (312) 558-5600

17 on behalf of the Defendant,  
 18 Abbott Laboratories;

19 JENNER & BLOCK LLP by  
 20 MR. CHRISTOPHER D. LIGUORI  
 21 One IBM Plaza  
 22 330 North Wabash Avenue  
 23 44th Floor  
 24 Chicago, Illinois 60611  
 (312) 222-9350

on behalf of the Defendant,  
 Hospira, Incorporated.

-----

1 (Witness duly sworn.)  
 2 MYLA NAUMAN,  
 3 called as a witness herein, having been first duly sworn,  
 4 was examined and testified as follows:

5 EXAMINATION  
 6 by Mr. Torres:

7 Q Miss Nauman, my name is Joe Torres and I'm an  
 8 attorney for Abbott Laboratories and I'll be asking you  
 9 a series of questions about this lawsuit.

10 A Okay.

11 Q Have you ever been deposed before?

12 A No, sir.

13 Q In addition to no mumbling, we have a couple of  
 14 other ground rules. It's important that both us don't  
 15 talk over one another so that the court reporter can  
 16 take down everything that we say. Okay?

17 A Okay.

18 Q And if you don't understand a question, please  
 19 let me know, and I'll try and rephrase. All right?

20 A Okay.

21 Q And if you answer, I will assume that you  
 22 understood my question. Is that fair?

23 A Yes.

24 Q And you have to say yes, no, as opposed to

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10 EXHIBITS

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	REFERENCED	
	MARKED	
12 NUMBER	FOR ID	
13 Deposition Exhibit		
14 No. 2 .....	200	
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16 No. 6 .....	222	
17 No. 7 .....	234	
18 No. 8 .....	49	
19 No. 12 .....	31	
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23 -----  
 24

1 uh-huh and uh-uh, because those will look the same in  
 2 the transcript. Okay?

3 A Okay.

4 Q And if you need to take a break, please let me  
 5 know. All right?

6 A Okay.

7 Q Miss Nauman, aside from this lawsuit, have you  
 8 ever been party to any legal proceeding?

9 A Two divorces.

10 Q Anything else?

11 A An arbitration over construction in California.

12 Q Was this personal construction?

13 A No, sir. It was the house that I purchased.

14 Q I'm sorry. It was a personal home?

15 A It was my home, correct.

16 Q Other than the two divorces and the arbitration  
 17 involving the construction, any other legal proceedings  
 18 you've been a party to?

19 A Not that I recall. No, sir.

20 Q Fair enough.

21 Aside from the claim that you're making in this  
 22 lawsuit, have you ever been involuntarily terminated  
 23 from any job?

24 A No, sir.

1 A Yes, sir.  
 2 Q But you didn't ask him any questions about that,  
 3 correct?  
 4 A No, sir. That is correct. I did not.  
 5 Q So your testimony is that at this meeting the  
 6 Hospira benefit plans had already been announced,  
 7 correct?  
 8 A Yes, sir.  
 9 Q And that he was explaining the differences  
 10 between what Hospira was offering and what Abbott had  
 11 offered, correct?  
 12 A Yes, sir.  
 13 Q And your testimony is that he did not make any  
 14 prepared remarks, he was simply answering questions  
 15 people had during his hour with your group?  
 16 A I believe that is how it happened as I recall.  
 17 Q Okay. And your Declaration has the phrases most  
 18 senior and 70 percent in quotations, correct?  
 19 A Yes, sir.  
 20 Q Did he say those phrases in the same sentence?  
 21 A Yes, sir. He did.  
 22 Q And in response to what did he use those  
 23 phrases, most senior and 70 percent?  
 24 A To the people that were part of the

1 organization.  
 2 Q My question is what was he responding to, what  
 3 question was he responding to when he used the phrases  
 4 most senior and 70 percent?  
 5 A I do not recall the question.  
 6 Q And as best you can recall, what do you recall  
 7 Mr. Weishaar saying?  
 8 A I recall him saying as it's written. And I  
 9 recall that the HPD division is the most senior with a  
 10 high percentage, 70 percent, over 40, 40 years of age.  
 11 Q And you don't recall what he was saying that in  
 12 response to?  
 13 A No, sir, I don't. I don't specifically recall.  
 14 Q And did Mr. Weishaar state what that  
 15 information, the information he was giving, most senior  
 16 and 70 percent, what that was based on?  
 17 A No, sir, he did not elaborate.  
 18 Q Okay. And do you have any personal knowledge as  
 19 to whether, in fact, HPD was the most senior division at  
 20 Abbott?  
 21 A The only personal knowledge I have is, as I  
 22 testified, over the 20 years watching, getting to know  
 23 people that stayed and matured and planned on retirement  
 24 with the company.

1 Q But you don't know relative to other divisions  
 2 whether HPD was, in fact, the most senior division?  
 3 A That is correct.  
 4 Q Do you have any personal knowledge that, in  
 5 fact, HPD's work force is 70 percent over the age of 40?  
 6 A I have never been privy to the documents, no,  
 7 sir.  
 8 Q And on a relative basis, you have no personal  
 9 knowledge whether any other Abbott division has  
 10 70 percent of its work force over the age of 40;  
 11 correct?  
 12 MR. AMADEO: Objection, vague.  
 13 A That is correct.  
 14 MR. TORRES: Q And you don't know what the  
 15 relative average seniority is of any other Abbott  
 16 division versus HPD?  
 17 MR. AMADEO: Objection, vague.  
 18 A I don't know about the employee status of other  
 19 divisions.  
 20 MR. TORRES: Q In fact, you don't have any  
 21 personal knowledge about the employee status of HPD  
 22 either; correct?  
 23 A That is correct.  
 24 MR. TORRES: Can we go off one second?

1 (Whereupon, a short recess was taken.)  
 2 MR. TORRES: Q And you don't recall who asked  
 3 Mr. Weishaar the question that he was responding to?  
 4 A No, sir.  
 5 Q Just so we're clear, you made these comments  
 6 after the Hospira benefits had been announced; correct?  
 7 A At that meeting, yes. That is not the first  
 8 time I recall that statement.  
 9 Q Okay. So there is more than one meeting when he  
 10 used those phrases?  
 11 A Conference call.  
 12 Q Okay. How many times did Mr. Weishaar use the  
 13 phrases most senior and 70 percent?  
 14 A Twice, to my recollection.  
 15 Q Once was in the meeting you just recounted?  
 16 A Yes, sir.  
 17 Q Okay. When was the other time Mr. --  
 18 MR. LIGUORI: Could we have a time frame on the  
 19 meeting that you just testified to?  
 20 THE WITNESS: We did it. I don't recall.  
 21 MR. TORRES: Q You said it was between the time  
 22 that the spin was announced and effectuated?  
 23 A Correct.  
 24 MR. TORRES: August, 2003, April, 2004.

# **EXHIBIT 82**

**(Filed under seal)**