

1 UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

2 -----x

IN RE:

3 ZYPREXA LITIGATION,

4 MDL 04 1596  
5 United States Courthouse  
6 Brooklyn, New York

6 -----x

7 January 17, 2007  
8 11:00 a.m.

TRANSCRIPT OF HEARING

9 Before: HON. JACK B. WEINSTEIN, District Judge

10 APPEARANCES

11 Attorneys for Plaintiff:

12 DOUGLAS & LONDON, ESQ.

13 111 John Street

Suite 1400

14 New York, N.Y. 10038

BY: MICHAEL A. LONDON, ESQ.

15

THE MILLER FIRM

16 The Sherman Building

108 Railroad Avenue

17 Orange, Virginia 22960

BY: MICHAEL J. MILLER, ESQ.

18

19

20 FRED VON LOHMANN, ESQ.

Attorney for Electronic Frontier Foundation

21 454 Shotwell Street

San Francisco, Ca 94110

22

23

24

25

1 MR. HAYES: Right.

2 THE COURT: I think it's reasonable to read the  
3 letter plus the attachment as indicating December 20th as the  
4 date for supplying the exhibits.

5 MR. McKAY: Your Honor --

6 THE COURT: Do you want to ask anything?

7 MR. McKAY: No, your Honor. I think that it's  
8 really argumentative. It's the date of the deposition and we  
9 agree with that.

10 THE COURT: Then I'm prepared to release the  
11 witness.

12 MR. HAYES: Yes.

13 THE COURT: Have a good trip back to Alaska, sir?

14 THE WITNESS: Thank you, your Honor.

15 (Witness excused.)

16 THE COURT: Next witness.

17 MR. LEHNER: At this time we would call Vera Sharav  
18 who is still in the courtroom, I believe.

19 VERA SHARAV, having been called as a  
20 witness, first being duly sworn, was examined and  
21 testified as follows:

22 THE CLERK: Could you please spell your name for the  
23 court reporter.

24 THE WITNESS: Vera Sharav, V-E-R-A S-H-A-R-A-V.

25 DIRECT EXAMINATION

1 Gottstein, is that correct?

2 A It was validated in my mind when they appeared on Sunday  
3 in the New York Times front page, then again on Monday on the  
4 front page. Then of course the editorial calling for  
5 congressional hearings about the content of the documents and  
6 that is really my interest. My interest is the content  
7 because the documents document the fact that Eli Lilly knew  
8 that the -- that Zyprexa causes diabetes. They knew it from a  
9 group of doctors that they hired who told them you have to  
10 come clean. That was in 2000. And instead of warning doctors  
11 who are widely prescribing the drug, Eli Lilly set about in an  
12 aggressive marketing campaign to primary doctors. Little  
13 children are being given this drug. Little children are being  
14 exposed to horrific diseases that end their lives shorter.

15 Now, I consider that a major crime and to continue  
16 to conceal these facts from the public is I think really not  
17 in the public interest. This is a safety issue.

18 MR. LEHNER: I move to strike as being nonresponsive  
19 to my last question and I would like to ask the court reporter  
20 if he is able to -- I think I remember my last question. I'll  
21 repeat my last question. Nonetheless, I'll make a motion to  
22 strike the last answer.

23 THE COURT: Denied.

24 Q My question was was it Mr. Gottstein who conveyed to you  
25 the impression that you formed in your mind that these