

EXHIBIT D

1 ALTIT

2 that's representing Quigley as a company?

3 A. Yes, sir.

4 Q. Have you ever engaged in e-mail
5 communications with any attorneys who represent
6 Pfizer?

7 A. No, sir.

8 Q. Do you know who represents Pfizer?

9 A. Yes, sir.

10 Q. And who, to your understanding,
11 represents Pfizer in connection with these
12 proceedings?

13 A. A firm called Cadwalader.

14 Q. I believe you also testified that, as
15 part -- prior to the Quigley board meetings,
16 there would at least on occasion be proposed
17 agendas that were circulated?

18 WITNESS' ATTORNEY: Objection to the
19 form of the question. I think you are
20 misstating his prior testimony.

21 Q. Well, let me ask you, prior to any
22 Quigley board meetings, do you ever recall any
23 proposed agendas being circulated?

24 A. Yes, sir.

25 Q. OK. Do you recall, sitting here

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2 today, how many Quigley board meetings you have
3 attended, either in person or telephonically, in
4 total since June of 2004?

5 A. Yes, sir.

6 Q. How many?

7 A. Fourteen, sir.

8 Q. Are you aware of any board meetings
9 that have taken place that you did not attend?

10 A. No, sir.

11 Q. Out of those 14 meetings, on how many
12 occasions do you recall having seen a proposed
13 agenda prior to the meeting?

14 A. I believe every one of them, sir. But
15 I can't -- I can't be sure of that.

16 Q. OK, that's fair.

17 When these proposed agendas were
18 circulated, what would be the manner in which
19 they were circulated?

20 A. E-mail, sir.

21 Q. Do you recall who would send those
22 e-mails?

23 A. Counsel would.

24 Q. Do you recall on any occasion having
25 reviewed a proposed agenda for a Quigley board

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meeting, do you recall any circumstances or situation in which you added something to the agenda that counsel had not put on?

A. No, sir.

Q. Do you recall receiving any e-mails from other board members in which they added anything to the proposed agenda?

A. No, sir.

Q. Do you believe that as a director of a Quigley company, that you have the authority to add things to the agenda for board meetings?

WITNESS' ATTORNEY: Objection, calls for a legal conclusion.

Q. Can you answer, Mr. Altit?

A. Yes, sir. I am sorry, I don't know if when lawyer objects if I should answer. That's why I am taking so long.

Q. No, I understand. If Mr. Cook or anybody else objects to the question, then you can still answer it. If Mr. cook objects on a basis that would give him ground to instruct you not to answer, he would follow up the objection with an instruction not to answer.

A. Thank you very much, sir.

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Do you -- could you repeat the question please.

(Record read)

A. I do.

Q. But you have never added anything to the proposed agendas?

WITNESS' ATTORNEY: Objection.

A. That's correct.

Q. When you were describing the circumstances surrounding board meetings, I believe you identified communications that related to the solicitation of dates and times, as well as circulation of draft agendas. I believe you also testified that other materials would be circulated in advance of the board meeting, is that accurate?

A. That's accurate, sir.

Q. OK, and what types of other materials would be circulated in advance of board meetings?

A. Usually material prepared by counsel. I don't know if this answers your question.

Q. OK. What -- for the moment, without getting into any substance relating to those