

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

SHAHEED MUHAMMAD, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 ELI LILLY AND COMPANY; and )  
 YOLANDA BROWN, Sales )  
 Representative, and FICTITIOUS )  
 DEFENDANTS A, B, C, D, E, and F, )  
 being those persons, sales representatives, )  
 firms or corporations, whose fraud, )  
 scheme to defraud, negligence, and/or )  
 other wrongful conduct caused or )  
 contributed to the Plaintiff's injuries and )  
 damages, and whose true names and )  
 identities are presently unknown to the )  
 Plaintiff but will be substituted by )  
 amendment when ascertained, )  
 )  
 Defendants.

CASE NO.: \_\_\_\_\_

DECLARATION OF YOLANDA MCCAIN

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Yolanda McCain, under penalty of perjury, states as follows:

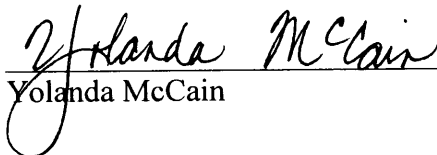
1. I have been previously known as "Yolanda Brown."
2. I am employed as a sales representative for Eli Lilly and Company ("Lilly"). The facts set forth herein are based upon my personal knowledge.
3. I am informed by Lilly that I was named as a defendant in this case. Plaintiff has not attempted service upon me as of the date of this declaration. I have consented to the removal of this case to federal court.
4. My knowledge of Zyprexa® was derived exclusively from training materials and education provided to me by Lilly. Lilly provided FDA-approved package inserts and other information regarding the medicines I detailed, including Zyprexa®. I had no involvement in the manufacture or development of Zyprexa®, or the preparation of package inserts, and had no control over content or other written warnings.

5. As a sales representative, I was not expected to conduct any independent research regarding the medicines that I detailed and I never conducted any such research. I was not expected to, and did not, review any independent scientific studies published in journals unless they were specifically provided to me by Lilly.

6. My responsibilities as a sale representative are to provide approved information to physicians about certain prescription medicines sold by Lilly. All my work relating to Zyprexa® was within the scope of my employment by Lilly.

I declare under penalty of perjury under the laws of the United States of America, 28 U.S.C. § 1746, that the foregoing is true and correct.

Date: October 28, 2005

  
\_\_\_\_\_  
Yolanda McCain