

**IN THE CIRCUIT COURT OF THE STATE OF FLORIDA, SECOND CIRCUIT  
LEON COUNTY, FLORIDA**

<b>THE STATE OF FLORIDA, et al.</b>	)	
	)	<b>CASE NO. 03 CA 64</b>
<b>PLAINTIFFS,</b>	)	
	)	<b>QUI TAM LAWSUIT</b>
<b>v.</b>	)	<b>JURY TRIAL DEMANDED</b>
	)	
<b>CAREMARK Rx, INC., et al.</b>	)	
	)	
<b>DEFENDANTS.</b>	)	

**FILED**  
CIRCUIT CIVIL DIV.  
APR 2 2 13  
BOB ZEPER  
CLERK CIRCUIT COURT  
LEON COUNTY FLORIDA

**NOTICE OF FILING**

Linda L. Shelley Fowler White Boggs Banker 101 North Monroe Street Suite 1090 Tallahassee, FL 32301	W. Donald Cox Seth L. Rodner Fowler White Boggs Banker 501 E. Kennedy Blvd., Ste. 1700 Tampa, FL 33602	Peter J. Kocora Howard M. Peckham III Winston & Strickland LLP 35 West Wacker Drive Chicago, IL 60601
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J. Mark Kraus, Esq.  
Assistant Attorney General,  
Office of the Attorney General  
Department of Legal Affairs,  
Economic Crimes Division  
The Capitol - PL-01  
Tallahassee, Florida 32399-1050

PLEASE TAKE NOTICE that on April 2, 2004, we caused to be filed with the Circuit Court of the State of Florida, Second Circuit, Leon County, Florida, PLAINTIFFS' THIRD AMENDED COMPLAINT, a copy of which is attached hereto and hereby served upon you.

By: [Signature]  
Respectfully Submitted,  
Attorney for Plaintiffs

Michael J. Overbeck  
Lytal, Reiter, Clark, Fountain & Williams  
515 N. Flagler Drive, P.O. Box 4056  
West Palm Beach, Florida 33402-4056  
(561)655-1990 (phone); (561)832-2932 (fax)  
Florida Bar No: 931322

Michael I. Leonard (admitted pro hac vice)  
Meckler, Bulger & Tilson  
123 N. Wacker Drive, Suite 1800  
Chicago, Illinois 60606  
(312)474-7925 (phone); (312)474-7898 (fax)

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certify that a true and correct copy of the above referenced document was served to all counsel via U.S. Mail on April 1, 2004 before the hour of 5:00 p.m.

[Signature]  
Michael I. Leonard

IN THE CIRCUIT COURT OF THE STATE OF FLORIDA, SECOND CIRCUIT LEON COUNTY, FLORIDA

THE STATE OF FLORIDA, )  
EX. REL. FLORIDA ATTORNEY )  
GENERAL CHARLIE CRIST )  
AND THROUGH RELATORS )  
MICHAEL FOWLER AND PEPI )  
FOWLER, INDIVIDUALS AND )  
RESIDENTS OF THE STATE OF FLORIDA, )  
AS RELATORS UNDER THE FLORIDA )  
FALSE CLAIMS ACT, )

PLAINTIFFS )

v. )

CAREMARK Rx, INC., A DELAWARE )  
CORPORATION, AND CAREMARK, INC. )  
A DELAWARE CORPORATION, )

DEFENDANTS. )

CASE NO. 03 CA 64

QUI TAM LAWSUIT

JURY TRIAL DEMANDED

**PLAINTIFFS' THIRD AMENDED STATE FALSE CLAIMS ACT COMPLAINT**

Plaintiffs, Michael Fowler and Peppi Fowler, by and through their undersigned counsel, state as follows as their Third Amended Complaint under the Florida False Claims Act or *qui tam* statute, 68.081, *et. seq.*, against Defendant Caremark Rx, Inc. ("Caremark Rx") and Defendant Caremark, Inc. ("Caremark").

**I. The Parties**

1. Plaintiffs, Michael Fowler and Peppi Fowler, reside in the State of Florida and have been employed by Defendants as licensed pharmacists in the State of Florida at all times relevant to this action. At all relevant times, Plaintiffs have been employed at Defendants' facility located at 3250 Meridian Parkway in Fort Lauderdale, Florida (hereinafter "The Fort Lauderdale Facility").

Plaintiffs are experienced, highly-trained, and highly-skilled professionals who have at all times been employees in good standing with Defendants. Plaintiffs are intimately familiar with, and possess first-hand knowledge of, Defendants' business activities, operations, procedures, and practices, including those at The Fort Lauderdale Facility. In addition, Michael Fowler possesses the same with regard certain policies, practices, and procedures employed by Caremark during the relevant time period at Caremark's prescription drug processing facility located in San Antonio, Texas.

2. Defendant, Caremark Rx, Inc. ("Caremark Rx") is a Delaware corporation with its corporate headquarters located in Tennessee. Caremark Rx conducts business and has conducted business in the State of Florida on a regular and continuous basis since at least calendar year 2000, and at all times relevant to this action. Caremark Rx is one of the largest pharmaceutical services companies in the United States, with annual net revenues of approximately eight billion dollars (\$8,000,000,000), including, according to Defendants, "record" third quarter 2003 revenue of \$2,300,000,000. Caremark Rx is the parent corporation of Defendant Caremark, Inc.

3. Defendant Caremark Inc. ("Caremark"), is a Delaware corporation through which Defendant Caremark Rx conducts its business operations. Caremark conducts business and has conducted business in the State of Florida on a regular and continuous basis at all times since at least calendar year 2000, and at all times relevant to this action.

4. Caremark provides pharmacy benefit management services and therapeutic pharmaceutical services. Caremark markets and sells those services to corporations, insurance companies, unions, government employee groups, and managed care organizations throughout the United States to deliver prescription drugs to the members of those entities' health insurance plans.

