

CONFIDENTIAL DEPOSITION OF JUDITH H. BELLO
CONDUCTED ON WEDNESDAY, SEPTEMBER 25, 2002

Page 1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
THREE JUDGE COURT, WASHINGTON, D.C.

MCCONNELL, et al.,

Plaintiffs,

v.

Case No. 02-0582

FEDERAL ELECTION COMMITTEE,

CONSOLIDATED CASES

et al.,

Defendants

Deposition of

PLAINTIFFS PHARMACEUTICAL RESEARCH AND

MANUFACTURERS ASSOCIATION BY

JUDITH H. BELLO

INDIVIDUALLY AND AS 30(b)(6) WITNESS

Washington, D. C.

Wednesday, September 25, 2002

9:35 a.m.

Job No: 12-5763

Pages 1 - 165

Reported by LEGALINK
Manhattan Reporting, Tel 212-557-7400
Advocate Reporting, Tel 212-697-6565

CONFIDENTIAL DEPOSITION OF JUDITH H. BELLO
CONDUCTED ON WEDNESDAY, SEPTEMBER 25, 2002

Page 2

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COUNSEL ONLY - JUDITH H. BELLO

Deposition of PLAINTIFFS PHARMACEUTICAL RESEARCH AND
MANUFACTURERS ASSOCIATION BY JUDITH H. BELLO, held at the
offices of:

UNITED STATES DEPARTMENT OF JUSTICE

901 E Street, Northwest

Seventh Floor

Washington, D. C. 20004

(202) 514-3358

Pursuant to agreement of counsel, before
Amy L. Massengale, Registered Professional
Reporter and Notary Public in and for the District
of Columbia.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COUNSEL ONLY - JUDITH H. BELLO

A P P E A R A N C E S

ON BEHALF OF PHARMA:

TIM JENKINS, ESQUIRE

PAUL L. KNIGHT, ESQUIRE

O'CONNOR & HANNAN, LLP

1666 K Street, Northwest

Suite 500

Washington, D. C. 20006

(202) 887-1470

ON BEHALF OF PHARMA:

SCOTT R. WILLOUGHBY, ESQUIRE

PHARMACEUTICAL RESEARCH AND MANUFACTURERS

OF AMERICA

1100 Fifteenth Street, Northwest

Washington, D. C. 20005

(202) 835-3589

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COUNSEL ONLY - JUDITH H. BELLO

A P P E A R A N C E S C O N T I N U E D

ON BEHALF OF THE REPUBLICAN NATIONAL COMMITTEE:

GARY M. RUBMAN, ESQUIRE

COVINGTON & BURLING

1201 Pennsylvania Avenue, Northwest

Washington, D. C. 20004

(202) 662-5465

ON BEHALF OF THE UNITED STATES DEPARTMENT

OF JUSTICE:

JAMES GILLIGAN, ESQUIRE

MARC KESSELMAN, ESQUIRE

901 E Street, Northwest

Room 816

Washington, D. C. 20004

(202) 514-3358

1 COUNSEL ONLY - JUDITH H. BELLO

2 there are certain events that we on our own
3 initiative think it is a good idea for the industry
4 to participate and be represented.

5 For example, I think it is
6 traditional for PHARMA to support the convention
7 activities for both Republicans and the Democrats.

8 Even if PHARMA were not asked, I
9 would reasonably expect that we would choose to
10 participate because we would think that would be
11 useful for the industry to be represented at those
12 activities.

13 Q Why would it be useful for the industry to
14 be represented at those activities?

15 A Because we like to think of ourselves and
16 we think we are good civic participants, and this is
17 a very important part of the American political
18 process, which brings together lots of people who
19 are interested in good government and policies.

20 And since our primary goal is public
21 policy advocacy, and since our goal is to promote
22 the broadest possible support for pro-patient,
23 pro-medical innovation policies, these are
24 congregations of people, opinion leaders that we
25 find it useful to participate in ourselves.

1 COUNSEL ONLY - JUDITH H. BELLO

2 MR. GILLIGAN: You haven't been sworn yet.

3 THE WITNESS: The PDMA, the Prescription
4 Drug Marketing Act which was a bipartisan
5 measure that was passed under the leadership of
6 Mr. Dingell to help protect the safety of
7 Americans against imported medicines which were
8 found upon their multi-year investigation by
9 the Energy and Commerce Committee of the House
10 that often involved subpotent, superpotent,
11 adulterated, counterfeit medicines, medicines
12 whose entry into the U.S. medical supply would
13 endanger the confidence and stability of our
14 medicine supply for American patients.

15 BY MR. GILLIGAN:

16 Q All right. So generally speaking then,
17 the five members of Congress who are listed here on
18 this form under VIP request, specifically requests
19 for a VIP to be seated at PhARMA's table, these are
20 members of Congress who had responsibility or
21 oversight for issues of importance to the
22 pharmaceutical industry?

23 A Yes.

24 Q And, therefore, the 2000 Republican
25 House-Senate dinner also provided PhARMA with an

1 COUNSEL ONLY - JUDITH H. BELLO

2 your position on Capitol Hill, isn't that right?

3 A Our goal is to get passage of good
4 market-oriented bipartisan prescription drug
5 legislation.

6 And we are mindful that members of
7 Congress are influenced by their own etiologies, the
8 views and goals of their parties and also the views
9 of other opinion leaders, groups and the American
10 people basically.

11 So as I have said several times, we
12 do act at many layers and many opportunities to
13 drive and create, generate the broadest and
14 strongest support possible for solving problems in
15 health care through market-oriented approaches.

16 Q Am I to take that as a yes to my question?

17 A I confirmed my earlier answer to your
18 question.

19 Q That it would not have been helpful?

20 A That it wouldn't be helpful that anyone
21 who favored market-based solutions for health care
22 problems were no longer a member of Congress and
23 instead there were more members of Congress who
24 favor government-run approaches.

25 That is the reason over my time

1 COUNSEL ONLY - JUDITH H. BELLO

2 period at PHARMA that we have more heavily-made
3 contributions to Republicans than Democrats because
4 they more often favor market-oriented approaches.

5 Q In addition to not only those who might
6 lose an election who were sympathetic to the
7 market-based approach, even among those members of
8 Congress who are still serving in Congress, if they
9 perceive that voting for a market-based solution is
10 a vote that could cost them their seats at the next
11 election, that is also not helpful to your
12 legislative objectives?

13 MR. KNIGHT: I will object again on
14 speculation with the word "if" all through it.

15 THE WITNESS: I think you are asking me
16 what motivates members of Congress to cast
17 their votes in certain ways, and the civics
18 lesson is there are lots of things that members
19 take into account in deciding how to cast a
20 vote on a particular issue.

21 BY MR. GILLIGAN:

22 Q Getting re-elected is one of those things,
23 is it not?

24 A If you are running for re-election, I
25 assume you want to win and you want to get