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**From:** Jinping McCormick  
**To:** Michael Perfetto  
**Sent:** 11/29/2011 12:59:00 AM  
**Subject:** Per4Ma\_2011 Level 2 and 3 - JM final  
**Attachments:** Per4Ma\_2011 Level 2 and 3 - JM final.docx

Mike,

Here is my self appraisal for 2011.  
Thanks.

Jinping

PLAINTIFFS TRIAL  
EXHIBIT

**P-01095\_00001**

ACTAVIS0481204

P-01095\_00001



## Personal Details

Name & Surname of Employee	Jinping McCormick
Position	Director, Marketing
Level	3
Division & Location	Sales & Marketing, Morristown, NJ
Employee Number	
Name & Position of Appraiser	Mike Perfetto, VP Sales & Marketing
Period Covered by Appraisal	

Welcome to the Actavis performance management system.

We operate in an exciting environment, full of opportunities and challenges for Actavis to grow and develop. It is therefore essential that all of us are focused on our goals and objectives and are ready to seize the opportunities that will make our business grow and become a top player in the pharmaceutical industry.

Actavis is a company that creates values in pharmaceuticals for all its stakeholders and we all play a very important role in this. In order to meet our ambitious targets we need to build a high performance culture and develop a shared vision of how we do things. PER4MA is about achieving these two aims.

All Actavis employees have to be challengers who are continuously seeking new ways of creating value. As managers we are the catalysts of such behaviour, we are expected to walk the **Orange Way**, to deliver on our targets and to develop and help our employees excel in their jobs. PER4MA is the system that will help Actavis tell its people how well they are achieving these goals.

Actavis PER4MA is not a replacement to candid and honest corrective or developmental feedback to people, it is simply the formalisation of a natural process which we all have been doing for a long time.

The brand of Actavis brings us all together under one corporate identity. The dedication and hard work of all of us has made Actavis what it is today. PER4MA will continue to strengthen our commitment to the company by ensuring that our efforts are leading to our single most important aim...that of creating value in pharmaceuticals to all our stakeholders.

2011 LEVEL 2/3 PER4MA Evaluation Form  
January 2011

# The Winning Formula

Use this section to write objectives that should be achieved over the next 12 months by this employee using the **SMART** concept - **Specific, Measurable, Achievable, Relevant and Time related**.

**Assessment Key:** Objective Fully Achieved, Objective Partially Achieved, Objective Not Achieved, Objective No Longer Applicable

Objective 1 - What do you need to accomplish this year? Maximize revenue and profit of Rx products to achieve 2011 budget sales and EBITDA objective		Completion Criteria 1. Achieve 2011 budget -. Gx Product sales of \$535MM 2. Achieve market share on all key product launches 3. Keep marketing budget at or below 2011 budget		Weight Assigned  30%
Mid-year comments  Despite the delay in new product approvals, the strategy set in Jan to focus on the Needle Mover products are successful in filling the gap and generic actual performance YTD June is exceeding budget.		End of year comments  Nov 27 YTD Gx net sales was \$493.4MM and on track to achieve budget of \$535MM (\$41.6MM to budget with over one month left and monthly run rate of \$45MM). Worked with S&M team to maximize assets and filled the new product launch gap of over \$100MM with new business and price adjustment.  Among the key product launches, we achieved budget \$ and share goals on all but valacyclovir which was an unusual struggle unseen in other products. Over achieved budget/share in Zolpidem ER 12.5mg, levetiracetam ER, Kadian AG and Oxymorphone ER.  Kept marketing expense below the budget despite multi-channel marketing effort in Oxymorphone ER.		
Assessment				
Objective Fully Achieved x	Objective Partially Achieved	Objective Not Achieved	Objective No Longer Applicable	

<p>Objective 2 - What do you need to accomplish this year?</p> <p>Maximize profit by capitalizing on market opportunity and reducing costs</p> <p>Support and protect our business by developing and implementing SOP for monitoring selective C-II products</p>		<p>Completion Criteria</p> <p>1. Identify products for price increases working with pricing group and drive down cost working with API sourcing;</p> <p>2. Identify products to review as part of quarterly SIOP meetings</p> <p>3. Develop and implement SOP for C-II products, e.g. oxycodone, fentanyl. Assist in developing a Suspicious Order Monitoring system (SOM).</p>		<p>Weight Assigned</p> <p>25%</p>
<p>Mid-year comments</p> <p>Working closely with Pricing (Ara) and Sales (Mike) to identify price increase opportunities (Gaba Tabs, BMV, BMD, Miconazole RX, Prometh &amp; Codeine, etc) to stay competitive in the market</p> <p>Identified products that require lower cost and supported sourcing and 3<sup>rd</sup> party group with analysis to support their negotiation with API suppliers and contractors.</p> <p>Developed an SOP for Oxycodone and began implementation. Contributed to the start of Suspicious order monitoring system. The project is on-going.</p>		<p>End of year comments</p> <p>In addition to mid-year comments, my group is instrumental in the implementation of oxycodone SOP and ensuring what we do protects the interest of the patients and the company. Also contributed significantly to the development and refinement of our SOM system.</p> <p>Additionally, introduced ValueTrak 852 data analysis module to Actavis marketing team which enables us to monitor wholesaler inventory level and sale out activity for 150 skus daily. This tool helped managing products particularly in time of product shortages, discontinuation and minimizing overstock/returns.</p>		
Assessment				
<p>Objective Fully Achieved</p> <p>x</p>	<p>Objective Partially Achieved</p>	<p>Objective Not Achieved</p>	<p>Objective No Longer Applicable</p>	

<p>Objective 3 - What do you need to accomplish this year?</p> <p>Conduct market research, analysis and evaluation to support new product opportunity, business development and API sourcing.</p>		<p>Completion Criteria</p> <ol style="list-style-type: none"> <li>1. Publish quarterly market share report</li> <li>2. Conduct ad hoc market research for both current and potential new opportunities</li> <li>3. Support business development activity and API sourcing</li> <li>4. Develop customer profile for key accounts (10 accounts) to better understand our customers.</li> </ol>		<p>Weight Assigned</p> <p>20%</p>
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Mid-year comments		End of year comments	
Published quarterly market share report in a timely fashion, continue to improve content and expand the competitor coverage.		In addition to mid-year comments, identified products for re-launch opportunity: nystatin cream & ointment (launched in Nov), fluocinonide cream & solution.	
Supported multiple business development activities from in-licensing to ANDA divestiture. Provided market assessment, valuation and recommendation to Pat Corridon on products for sale.		Developed customer profile for key customers, on track to be completed by year end.	
		Negotiated Wolters Kluwer 3 year contract at no increase from 2011.	
Assessment			
Objective Fully Achieved x	Objective Partially Achieved	Objective Not Achieved	Objective No Longer Applicable

Objective 4 - What do you need to accomplish this year? Improve the brand image and trust in Actavis labeled products.		Completion Criteria 1.Establish 5 product-specific advertising programs aligned w/Reg Affairs 2. Develop two new corporate branding advertising 3. Update company presentation quarterly		Weight Assigned  15%
Mid-year comments  Developed product specific ads for Oxymorphone, methylphenidate.  Corporate ad “Tree” is done. Another one is in development.		End of year comments  This year we created new ads for Oxymorphone, Methylphenidate, Amphetamine Combo, buprenorphine/naloxone and Clobetasol Lotion and Shampoo (in process). Additionally, the Fentanyl ad has received a remodel. The corporate awareness ad, “Tree”, has been in use and “Bird” has received a change in messaging.  Revamped corporate presentation for NACDS with more customer focus and it was well received by both internal and external audiences. Presentation and sizzle slide is updated regularly.  The improved U.S. website (Actavis.us) was launched in the spring and has been given continuous updates to add new/remove products.		
Assessment				
Objective Fully Achieved x	Objective Partially Achieved	Objective Not Achieved	Objective No Longer Applicable	

<p>Objective 5 - <i>Personal Development Objective</i> What is a personal development objective you need to achieve for this year? (Remember to apply the SMART objective setting principles to the personal objective.)</p> <p>Build a better and stronger team by using all-inclusive management, coaching and developing people and delegating more.</p>		<p>Completion Criteria</p> <ol style="list-style-type: none"><li>1. better communication to marketing team member</li><li>2. customized coaching and development of team member to help them to grow</li><li>3. delegate more task to facilitate team member growth</li><li>4. solicit feedback from team to improve myself</li></ol>		<p>Weight Assigned</p> <p>10%</p>
<p>Mid-year comments</p> <p>- solicit feed back from team on improving the marketing team meeting</p> <p>- Provide feedback and coach Rachelle and David and Violet based on their strengths and potential.</p>		<p>End of year comments</p> <p>Gave Rachelle the opportunity to grow by having Violet reporting to her.</p> <p>Strongly encouraged my team to continuously learn and grow: everyone can now get basic data from Wolters Kluwer; we are all learning and sharing ValueTrak; got training on InDesign - David produced two sell sheets in house.</p>		
<b>Assessment</b>				
<p>Objective Fully Achieved</p> <p>x</p>	<p>Objective Partially Achieved</p>	<p>Objective Not Attained</p>	<p>Objective No Longer Applicable</p>	

**Total Weight: 100%**

Signed and Agreed  
Date:

Employee

Assessor

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# Orange Way

The table below is a list of all the Actavis competencies associated with the Orange Way. **The competencies in bold and highlighted in grey are the core competencies associated with this position and as a minimum these need to be discussed during this review.** If in addition to the core competencies, you see a need to discuss any of the other competencies in the list you are free to do so.

Competencies - Use this section to discuss the competencies listed below.			Assessment		
The Orange Way	Competency	Comments	Needs more attention	As expected	Definite Strength
Think Smarter	1.1 Deciding and initiating action			X	
	1.2 Coping with pressure and setbacks				
	1.3 Adapting and responding to change			X	
	1.4 Applying expertise & technology				
	1.5 Analysing				
	1.6 Learning & researching				
Look Beyond	2.1 Set vision, inspire and align				
	2.2 Formulating strategies and concepts			X	
	2.3 Leading & Supervising			X	
	2.4 Creating & innovating				
	2.5 Achieving personal work goals & objectives				
Keep Simple	3.1 Entrepreneurial and commercial thinking			X	
	3.2 Planning and organizing			X	
	3.3 Deliver results and meeting customer expectations			X	
	3.4 Presenting & communicating information			X	
	3.5 Following instructions & procedures				
	3.6 Writing & reporting				
Be Connected	4.1 Working with people				
	4.2 Relating and networking			X	
	4.3 Living the values and principles			X	
	4.4 Persuading & influencing				



## Overall Comments

Use the space provided below to write any comments related to this employee's performance and developmental needs.

Assessor Comments	<p>Employee Comments</p> <p>2011 has been a challenging and exciting year for me. Under the leadership of Mike Perfetto, we set the strategy for the year in January and have been relentlessly working towards our goal. The strategy, combined with hard work, smart thinking and excellent execution, enabled us to achieve a very challenging goal despite delays of multiple key new products launches. I'm proud to be a contributor to this success; I feel fortunate to work with and learn from colleagues who may have different talents and perspectives from my own. I hope that I helped my team to grow and achieve.</p> <p>We always have financial goals; after all, we are the S&amp;M team to deliver that sales target. However, in addition to the number, I always believe that we should strive for improvement every year, be it a more efficient, quicker, easier way to do business, a different thinking or something brand new. I'm happy to report a few of such improvement:</p> <ul style="list-style-type: none"><li>• Use ValueTrak to monitor wholesaler inventory on hand and sales out</li><li>• Developed Monthly Tracking Report (Q4Bis report 220) to zoom in on outliers either by product or by customers</li><li>• Loaded sales rep target in Q4Bis to allow for easy tracking by rep</li><li>• Refined product allocation report (QAD)</li><li>• Focused more on product advertising</li><li>• Get training for marketing team on InDesign software that gives us the ability to modify ads and create simple sellsheets in house. Both lowering costs and enriching professional development.</li></ul> <p>I look forward to working with a great team to meet the challenge of 2012!</p>
Signature & Date	Signature & Date

## Overall Performance Evaluation

Use the next page section to assess the overall performance of this employee. Then mark an X in the yellow box to indicate the level of performance that best applies. When doing so you should take into consideration the following:

- The overall behaviour of the employee as described by the competencies and its alignment with the Corporate values
- The assessment on the performance indicators
- The attainment of objectives if any have been agreed upon
- The level of engagement of the employee and skill level of the employee
- The overall performance of the employee
- The overall business circumstances and any factors affecting performance which were beyond his or her control.

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Needs Improvement		Meets Expectations	Exceeds Expectations
<input type="checkbox"/> Did Not Meet Expectations	<input type="checkbox"/> Approaching Expectations		
<p>Overall performance is not consistent with what is expected of someone in this position. Performance consistently does not meet the job requirements. When performance is at this level, employee should be on or will be placed on an improvement plan or have had/will have conversations regarding their performance. Will normally show three or more of the following in a regular manner:</p> <ul style="list-style-type: none"> <li>- Majority of objectives not met due to employee performance</li> <li>- Inconsistent in his or her work</li> <li>- Requires substantial coaching on competencies and/or Performance Indicators</li> <li>- Tasks not delivered on time or are incomplete</li> <li>- Work delivered requires substantial revision</li> <li>- Desired outcome not always met</li> <li>- Requires more supervision than is typical for this role</li> <li>- Company values shown inconsistently or not at all</li> <li>- Ineffectively interacts with peers, managers, or the public</li> <li>- Takes little or no initiative, even with prompting</li> <li>- Fails to demonstrate/possess full knowledge and understanding of their job functions/duties</li> <li>- Has not responded appropriately to areas identified for improvement</li> </ul>	<p>Overall performance is not consistent with what is expected of someone in this position. Performance does not consistently meet some of the job requirements:</p> <ul style="list-style-type: none"> <li>- Some of objectives not met due to employee performance</li> <li>- Inconsistently performs their job functions/duties or responsibilities</li> <li>- Needs to focus on certain behaviors/objectives to achieve satisfactory performance</li> <li>- Sometimes completes their assignments/tasks in an incomplete manner or requires clarification or time extensions</li> <li>- Requires supervision due to low performance or skill level</li> <li>- Company values may be shown inconsistently</li> <li>- Engages in less effective or less than positive interactions with peers, colleagues, management, or the public</li> <li>- Demonstrates minimal initiative and/or requires reminders</li> <li>- Requires improvement plan as follow-up designed to address specific performance issues</li> <li>- May have begun to respond appropriately to areas identified for improvement</li> </ul>	<p>Overall performance is consistent with what is expected of someone in this position. Will normally show a majority of these behaviors on a regular basis:</p> <ul style="list-style-type: none"> <li>- All objectives have been "Fully Attained" or "Partially Attained" with none being marked as "Not Attained"</li> <li>- Consistent in his or her work</li> <li>- All or most of the competencies and/or performance indicators are rated favorably</li> <li>- Tasks delivered on time</li> <li>- Work delivered requires minimal or no revision</li> <li>- Desired outcomes met</li> <li>- Requires minimal supervision</li> <li>- Behavior is in line with Company values</li> <li>- Engages in effective or positive interactions with peers, colleagues, management, or the public</li> <li>- Consistently takes appropriate initiative</li> <li>- Takes initiative to keep current in their field of expertise and initiates action for continued development</li> <li>- Is dependable, highly reliable and follows through on provided or otherwise undertaken assignments</li> <li>- Responds to feedback or initiates action to address development needs</li> </ul>	<p>Overall performance is consistently beyond what is expected of someone in this position. Will normally demonstrate a majority of these behaviors on a regular basis:</p> <ul style="list-style-type: none"> <li>- All objectives have been attained</li> <li>- Most tasks are right the first time and delivered on or before the deadline and within budget</li> <li>- Most competencies and/or performance indicators are rated as definite strengths</li> <li>- Produces high quality and quantity of work</li> <li>- Effectively operates with limited guidance and information, requiring minimal supervision</li> <li>- Exhibits model behavior that exemplifies the values and qualities of the organization and is a champion of such behaviors</li> <li>- Exhibits teamwork or is a team player in varied settings and influences others to work collaboratively to bring about a positive impact while furthering the goals of the department, division and organization</li> <li>- Skillfully resolves conflict in the midst of differing opinions by creatively developing a compromise within competing interests</li> <li>- Undertakes additional job functions/duties, through their own initiative, that furthers the goals of and makes significant contributions to the department, division, and organization</li> <li>- Demonstrates exceptional in-depth knowledge of their job functions/duties and is highly recognized by others within the organization within their area of expertise as an authority in their area of work</li> <li>- Skillfully and in a highly reliable manner handles multiple and varied types of tasks with competing priorities</li> </ul>