



IN THE DISTRICT COURT OF CLEVELAND COUNTY
STATE OF OKLAHOMA }
STATE OF OKLAHOMA } S.S.
CLEVELAND COUNTY }

STATE OF OKLAHOMA, *ex rel.*, MIKE)
HUNTER, ATTORNEY GENERAL OF)
OKLAHOMA,)

Plaintiff,)

v.)

PURDUE PHARMA L.P.; PURDUE PHARMA)
INC.; THE PURDUE FREDERICK COMPANY,)
INC.; TEVA PHARMACEUTICALS USA, INC.;)
CEPHALON, INC.; JOHNSON & JOHNSON;)
JANSSEN PHARMACEUTICALS, INC.;)
ORTHO-McNEIL-JANSSEN)
PHARMACEUTICALS, INC., n/k/a JANSSEN)
PHARMACEUTICALS, INC.; JANSSEN)
PHARMACEUTICA, INC., n/k/a JANSSEN)
PHARMACEUTICALS, INC.;)
ALLERGAN, PLC, f/k/a ACTAVIS PLC, f/k/a)
ACTAVIS, INC., f/k/a WATSON)
PHARMACEUTICALS, INC.; WATSON)
LABORATORIES, INC.; ACTAVIS LLC; and)
ACTAVIS PHARMA, INC., f/k/a WATSON)
PHARMA, INC.,)

Defendants.)

FILED

JAN 29 2018

In the office of the
Court Clerk MARILYN WILLIAMS

Case No. CJ-2017-816

Honorable Thad Balkman

ORDER APPOINTING DISCOVERY MASTER

This matter is before the Court on Defendants' Motion for Appointment of Discovery Master. Based on the briefs of counsel and oral argument held in this matter on January 11, 2018, the Court finds as follows, in accordance with the requirements set forth in 12 O.S. § 3225.1:

A. The appointment and referral of a Discovery Master are necessary in the administration of justice due to the nature, complexity, and volume of the discovery materials involved in this multiparty litigation;

B. The likely benefit of the appointment of a Discovery Master outweighs its burden or expense, considering the unique needs of the case, the sizeable amount in controversy, the parties' resources, the overarching public importance of the issues at stake in the action, and the importance of the referred issues in resolving the proceeding in which the appointment is made; and

C. The appointment will not improperly burden the rights of the parties to access the courts.

IT IS THEREFORE ORDERED THAT:

1. The Court hereby APPOINTS Judge William C. Hetherington, Jr. as Discovery Master in this proceeding, in the interests of judicial economy, to address and resolve all pretrial discovery matters arising between Plaintiff and Defendants, and to facilitate the effective and timely resolution thereof.

2. The Discovery Master shall proceed with all reasonable diligence in performing his appointed duties.

3. The Discovery Master shall possess and may exercise all authority conferred upon discovery masters by 12 O.S. § 3225.1 in order to fulfill the duties assigned to the Discovery Master under this Order.

4. The Discovery Master shall comply with Rule 2.9 of the Code of Judicial Conduct with regard to any ex parte communications with the parties or their lawyers.

5. The Discovery Master shall file with the Court all orders, reports, and recommendations issued by the Discovery Master and promptly serve a copy on each party. Unless otherwise stipulated by the parties, the parties shall file with the Court all papers

submitted for consideration to the Discovery Master. The parties shall provide copies to the Discovery Master of all filings in this action that relate to the Discovery Master's duties.

6. The Discovery Master shall report to the Court on all matters relating to the appointment within sixty (60) days of the date that this Order is filed of record in this proceeding, and shall periodically report to the Court on the progress of discovery in this proceeding.

7. If the Discovery Master files an order, report, or recommendation, any party may file objections to it or a motion to adopt or modify it no later than seven (7) days after it was filed. If no objection or motion to adopt or modify is filed, the Court may approve the Discovery Master's order, report, or recommendation without further notice or hearing.

8. Upon the filing of objections to or a motion to adopt or modify, the Discovery Master's order, report, or recommendation within the time permitted, any party may respond within seven (7) days after the objections or motions are filed. If objections and motions are decided by the Court without a hearing, the Court shall notify the parties of its ruling by e-mail. Otherwise, the hearing on any such objection or motion shall occur on the first available reserved setting (as set out in the Court's January 11, 2018, Order or otherwise reserved by the Court in the future) following the date on which the response to such objection or motion is filed. In acting on a Discovery Master's order, report, or recommendation, the Court may receive evidence; and may adopt or affirm, modify, wholly or partly reject or reverse, or resubmit it to the Discovery Master with instructions.

9. The Court will review *de novo* all objections to findings of fact made or recommended by the Discovery Master. The Court will also decide *de novo* all objections to

conclusions of law made or recommended by the Discovery Master. The Court will set aside the Discovery Master's rulings on procedural matters for an abuse of discretion.

10. The Discovery Master shall be paid \$375 per hour for work done pursuant to this Order, and shall be reimbursed for all reasonable expenses incurred. The Discovery Master shall bill Defendants on a monthly basis for fees and disbursements, and those bills shall be promptly paid by Defendants, pursuant to the allocation of costs as determined among Defendants. All parties shall copy on and/or receive a copy of all communications by and between any other party and the Discovery Master, including communications containing or discussing the bills, invoices and/or compensation of the Discovery Master.

11. This Order shall become effective immediately upon the later of (i) the filing of this Order, or (ii) the filing of the Discovery Master's oath, and shall remain in effect until further order of the Court.

IT IS SO ORDERED.


The Honorable Thad Balkman
Judge of the District Court

APPROVED AS TO FORM:

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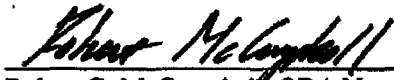
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