IN THE DISTRICT COURT OF CLEVELAND COUNTY
STATE OF OKLAHOMA

PART B

STATE OF OKLAHOMA, ex rel., MIKE HUNTER, ATTORNEY GENERAL OF OKLAHOMA,	
Plaintiff,	
vs.	**Case No. CJ-2017-816** **Judge Thad Balkman** **William C. Hetherington** **Special Discovery Master**
(1) PURDUE PHARMA L.P.; **(2) PURDUE PHARMA, INC.;** **(3) THE PURDUE FREDERICK COMPANY;** **(4) TEVA PHARMACEUTICALS USA, INC.;** **(5) CEPHALON, INC.;** **(6) JOHNSON & JOHNSON;** **(7) JANSSEN PHARMACEUTICALS, INC;** **(8) ORTHO-MCNEIL-JANSSEN PHARMACEUTICALS, INC., n/k/a JANSSEN PHARMACEUTICALS;** **(9) JANSSEN PHARMACEUTICA, INC., n/k/a JANSSEN PHARMACEUTICALS, INC.;** **(10) ALLERGAN, PLC, f/k/a ACTAVIS PLC, f/k/a ACTAVIS, INC., f/k/a WATSON PHARMACEUTICALS, INC.;** **(11) WATSON LABORATORIES, INC.;** **(12) ACTAVIS LLC; and** **(13) ACTAVIS PHARMA, INC., f/k/a WATSON PHARMA, INC.,** **Defendants.**	STATE OF OKLAHOMA } S.S. CLEVELAND COUNTY } **FILED** In The Office of the Court Clerk APR 18 2018 In the office of the Court Clerk MARILYN WILLIAMS

Continuation OF:

PLAINTIFF'S RESPONSE TO DEFENDANTS' OBJECTIONS TO ORDER OF SPECIAL DISCOVERY MASTER ON STATE'S FIRST MOTION TO COMPEL

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EXHIBIT B

IN THE DISTRICT COURT OF CLEVELAND COUNTY
STATE OF OKLAHOMA

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.; ENDO HEALTH SOLUTIONS INC.; ENDO PHARMACEUTICALS, INC.; ALLERGAN PLC; f/k/a ACTAVIS PLC; ACTAVIS, INC. f/k/a WATSON PHARMACEUTICALS, INC.; WATSON LABORATORIES, INC.; ACTAVIS LLC; and ACTAVIS PHARMA, INC. f/k/a WATSON PHARMA, INC., Defendants.	Case No. CJ-2017-816

DEFENDANTS JANSSEN PHARMACEUTICALS, INC. AND JOHNSON & JOHNSON'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS

Pursuant to sections 12-3226 and 12-3234 of the Oklahoma Code of Civil Procedure, Janssen Pharmaceuticals, Inc., its predecessor companies Ortho-McNeil-Janssen Pharmaceuticals, Inc. and Janssen Pharmaceutica, Inc. (jointly, "Janssen"), and its parent company Johnson & Johnson ("J&J," and together with Janssen, "Defendants") hereby respond to Plaintiff State of Oklahoma's (the "State") First Request for Production of Documents ("Request" or "Requests").

PRELIMINARY STATEMENT

Defendants make these responses and objections in good faith, based on presently available information and documentation. Plaintiff should not construe these responses and objections to prejudice Defendants' right to conduct further investigation or to limit their right to utilize any additional evidence that may be developed. Defendants' discovery, investigation, and preparation for trial is not yet completed and is continuing as of the date of these objections and responses. Defendants do not waive any right to modify or supplement their responses and objections to any Request, and expressly reserve all such rights. Because discovery is ongoing, Defendants expressly reserve the right to continue discovery and investigation herein for facts, documents, witnesses, and data that may reveal information that, if presently within Defendants' knowledge, would have been included in these objections and responses. Defendants' objections and responses are based upon a reasonable investigation and its good-faith understanding of the Requests. Defendants specifically reserve the right to present additional information at trial, as may be disclosed through continuing investigation and discovery, and specifically reserve the right to supplement or modify these objections and responses at any time in light of subsequently discovered information.

Information contained in any response pursuant to the Requests is not an admission or acknowledgement by Defendants that such information is relevant to any claim or defense in this action; is without prejudice to Defendants' right to contend at trial or in any other or subsequent proceeding, in this action or otherwise, that such information is inadmissible, irrelevant,

immaterial, or not the proper basis for discovery; and is without prejudice to or waiver of any objection to any future use of such information that Defendants may be advised to make.

Defendants are providing information and documents in response to the Requests in compliance with the Court's December 6, 2017 Order directing them "to respond to the State's discovery requests pursuant to a protective order," and subject to and in reliance on (1) the confidentiality order that will be entered in this case and (2) Plaintiff's representations and assurances that, except in accordance with the terms of the confidentiality order ultimately entered in this case, materials designated as Confidential or Highly Confidential-Attorneys' Eyes Only will not be provided or disclosed to any third party whether in response to a request under the Oklahoma Open Records Act, any similar federal, state or municipal law, or by any other means. Plaintiff agrees that discovery responses so designated are exempt from disclosure pursuant to 51 O.S. § 24A.12 and may be exempt under other provisions. Defendants are therefore designating information and documents produced in response to the Requests as Confidential or Highly Confidential-Attorneys' Eyes Only as appropriate.

Each of the below objections to definitions, scope, and instructions (collectively, "General Objections") is incorporated by reference into Defendants' specific objections and responses to Plaintiff's Requests. By setting forth such specific objections, Defendants do not limit or restrict the General Objections set forth below. An objection to all or part of any specific Request, or a statement that Defendants will produce responsive information, does not mean that information responsive to that Request or part of the Request exists or is within Defendants' possession, custody, or control.

OBJECTIONS TO SPECIFIC DEFINITIONS

1. Defendants object to the definition of "Front Groups" on the ground that the phrase "related to opioid use and/or pain treatment" is vague and ambiguous because it is subject to many

interpretations. Defendants further object to this definition on the ground that the term "Front Groups" is inappropriately pejorative and inaccurately represents Defendants' relationships with independent third-party organizations. Defendants further object to the definition of "Front Groups" because the term seeks information that is irrelevant to this case, is overly broad, and imposes undue burdens and expense on Defendants in relation to the needs of the case to the extent that it includes organizations that did not make any alleged representations regarding the opioid products at issue to Oklahoma patients or prescribers. Defendants further object to each and every Request that relies on the term "Front Groups" to the extent it seeks information that is not in Defendants' possession, custody, or control but is rather in the possession, custody, or control of independent third parties.

2. Defendants object to the definition of "Healthcare Professional" on the grounds that it renders certain requests overbroad, unduly burdensome, and calls for information that is neither relevant to the claims or defenses in this action nor reasonably calculated to lead to the discovery of admissible evidence, in that it seeks information beyond the geographic scope of this litigation, which is limited to Oklahoma.

3. Defendants object to the definition of "KOLs" on the ground that the terms "key opinion leaders," "consultants," "advisors," and "related to opioids and/or pain treatment" are vague and ambiguous because they are subject to many interpretations. Defendants further object to the definition of "KOLs" because the term seeks information that is irrelevant to this case, is overly broad, and imposes undue burdens and expense on Defendants in relation to the needs of the case to the extent that the term includes individuals who did not make any alleged representations regarding the opioid products at issue to Oklahoma patients or prescribers.

4. Defendants object to the definition of "Other Opioid Cases" on the ground that that it is overly broad, unduly burdensome, and seeks information that is not relevant to the claims or defenses of any party because it purports to include matters to which Defendants are not parties and that are unrelated to Plaintiff's allegations and claims for relief in the present action.

5. Defendants object to the definition of "Janssen" as overbroad and unduly burdensome, and because it purports to require Defendants to produce information outside their knowledge, possession, custody, or control, particularly to the extent that the term "Janssen" includes predecessors or successors to Defendants.

OBJECTIONS TO SCOPE

1. Defendants object to the purported scope of each and every Request because it calls for information without regard to whether such information concerns the claims or defenses of any party and without regard to whether the Request is unduly burdensome and expensive in relation to the needs of the case. The "Relevant Time Period" is defined as "May 1, 1996 to the present." Without reasonable restriction, the scope is overbroad, not relevant to the subject matter involved in the case, and the burden and expense of the proposed discovery outweigh its likely benefit considering the needs of the case, especially because the Complaint makes no allegations of wrongdoing with respect to Defendants' promotion of Duragesic and because Nucynta was not approved by the FDA until November 2008, Nucynta ER was not approved by the FDA until August 2011, and Janssen sold all U.S. commercialization rights of the U.S. Nucynta franchise in April 2015. In addition, the "Relevant Time Period" as defined predates the enactment of the Oklahoma Medicaid False Claims Act on November 1, 2007, *see* 2007 Okla. Sess. Law Serv. Ch. 137 (S.B. 889) (eff. Nov. 1, 2007), and disregards that statute's six-year statute of limitations, *see* Okla. Stat. tit. 63, § 5053.6(B)(1) (2007). Defendants further object to the "Relevant Time Period" extending "to the present" because the lack of a reasonable cut-off date is unduly burdensome and

unworkable, seeks irrelevant information, is unduly burdensome and expensive in relation to the needs of the case, and is inappropriate given the divestiture of Nucynta and the fact that Defendants ceased actively marketing Duragesic shortly after it lost patent exclusivity in 2005.

2. Defendants object to the purported scope of each and every Request that relies on the undefined term "opioid" on the ground that such requests are overbroad, seek irrelevant information, and are unduly burdensome and expensive in relation to the needs of the case because they purport to request information relating to all "opioids" without regard to whether such products are currently marketed or manufactured by Defendants or relate to the allegations at issue in this case. Defendants limit these Responses to the only products that are mentioned in Plaintiff's Complaint: Duragesic, Nucynta, and Nucynta ER.

3. Defendants object to the Requests, including the Definitions and Instructions, on the grounds that such requests are cumulative, irrelevant, overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence because they are not limited to events or issues in Oklahoma. Subject to and without waiving any objection, Defendants will disclose information or documents insofar as they pertain to events or issues in Oklahoma.

4. Defendant Johnson & Johnson objects to these interrogatories as overly broad and unduly burdensome. Johnson & Johnson is a holding company that does not develop, manufacture, market, or sell the opioid medications at issue in this case or any other products. By responding to these discovery requests, Johnson & Johnson does not concede direct knowledge of or access to the documents sought by Plaintiff's Requests.

OBJECTIONS TO GENERAL DEFINITIONS AND INSTRUCTIONS

1. Defendants object to the Requests, including the Definitions and Instructions, to the extent that they purport to impose obligations on Defendants that are broader than, inconsistent

with, not authorized under, or not reasonable pursuant to the Oklahoma Rules of Civil Procedure or the Rules of Local Practice in the District Court of Cleveland County, Oklahoma.

2. Defendants object to producing or providing information, documents, or any other discovery that is protected from disclosure by the attorney-client privilege, the work product doctrine, joint-defense privilege, the self-investigative privilege, or any other legally-recognized privilege, immunity, or exemption (collectively, "Privileged Information"). Privileged Information will not be knowingly disclosed. Any disclosure of Privileged Information in response to any Request or Interrogatory is inadvertent and not intended to waive any privileges or protections. Defendants reserve the right to demand that Plaintiff return or destroy any Privileged Information inadvertently produced, including all copies and summaries thereof. Defendants will withhold or redact Privileged Information from its productions in response to the Requests and Interrogatories and produce an appropriate privilege log in accordance with the Oklahoma Rules of Civil Procedure and the provisions of any protocol agreed to by the parties or entered by the Court in this matter.

3. Defendants object to the definition of the word "Communication" because the definition is vague and ambiguous because it is subject to many interpretations, particularly in its use of the following phrases, which are characteristics that Defendants could not necessarily ascertain: "meeting, conversation, discussion, conference, correspondence, message, or other written or oral transmission." Defendants further object to the definition of "Communication" because it calls for documents or electronically stored information beyond the scope of materials defined in 12 O.S. §§ 3226 and 3234.

4. Defendants object to the definition of "Concerning" as vague and ambiguous in its use of the phrase "evidencing or constituting" which are characteristics that Janssen could not necessarily ascertain.

5. Defendants object to the definition of "Correspondence" as vague and ambiguous in its use of the phrase "otherwise summarizes the substance of such communications" which is a characteristic that Janssen could not necessarily ascertain.

6. Defendants object to the definition of the term "Document" to the extent it calls for information outside of Defendants' knowledge, possession, custody, or control, the production of privileged information, exceeds the privilege-log requirements set forth in 12 O.S § 3226(B)(5), or would impose undue burden and expense that is not proportional to the needs of the case. Defendants further object to the extent this Request purports to require Defendants to review and produce information that is not reasonably accessible as defined in 12 O.S. § 3226(2)(b). Defendants further object to the definition of "Document" to the extent it seeks documents "known to You wherever located" on the grounds that such definition is inconsistent with the Oklahoma Rules of Civil Procedure and other applicable rules. Defendants will produce responsive, non-privileged documents in its possession, custody, or control. Defendants also object to the definition of "Document" to the extent it requests from Defendants all duplicate originals and copies of the same document. Defendants also object to the definition of "Document" to the extent that it seeks metadata, however, Defendants are willing to meet and confer with Plaintiff to discuss production of certain metadata.

7. Defendants object to the definition of "Person" to the extent it purports to impose obligations to produce information outside Defendants' knowledge, possession, custody, and

control and to the extent that it seeks to impose obligations inconsistent with those in the Oklahoma Code of Civil Procedure.

8. Defendants object to the Definitions of "Janssen," "You," and "Your" on the grounds that they are overbroad, unduly burdensome, and not likely to lead to the discovery of admissible evidence, including to the extent that they purport to seek the discovery of information or documents that are in the possession, custody, or control of Janssen's affiliates, subsidiaries, predecessors, successors, parents and assigns, and/or any employees, agents, directors or independent contractors acting on behalf of any of those entities, acting individually or in concert. Janssen will limit its productions to information and/or documents from and about the Janssen defendants that are named in this lawsuit.

9. Defendants object to Instruction "j" on the grounds that it is overly broad, unduly burdensome, and seeks information that is not relevant to the claims or defenses of any party because, if literally construed, would require the production of any document that references Nucynta, Nucynta ER, Duragesic, or any opioid—regardless of its actual content.

10. Defendants object to instructions "n" and "q" on the grounds that they are overbroad, unduly burdensome, and not likely to lead to the discovery of admissible evidence, and to the extent they are inconsistent with the Oklahoma Rules of Civil Procedure and other applicable rules.

11. Defendants object to the privilege-log instructions set forth in Instructions "s" and "t" to the extent they exceed the requirements set forth in 12 O.S. § 12-3237(A)(2) notes or would impose undue burden and expense that is not proportional to the needs of the case. Defendants will draft a privilege log as defined in 12 O.S. § 12-3237(A)(2), which does not include "persons who have seen the documents" or the addresses and job titles of any person that received the document.

12. Defendants plan to produce all documents as they are kept in the usual course of business—typically organized by custodian—pursuant to 12 O.S. § 12-3234(B)(5)(a). This is the only practical option given the nature of these requests and the electronically stored information they seek. Defendants object to Instruction "u," which purports to require Defendants to label each individual document responsive to each Request.

13. Defendants object to Instruction "v" on the grounds that it is overly broad, unduly burdensome, and seeks information that is not relevant to the claims or defenses of any party because it asks Defendants to postulate about documents that, by their very nature, do not exist and are not known to exist.

14. Defendants object to the Requests, including the Definitions and Instructions, to the extent that they purport to require production of information or documents that are public, already in Plaintiff's possession, custody, or control, or otherwise available from sources other than Defendants to which Plaintiff has access, on grounds that such Requests are overbroad and unduly burdensome.

OBJECTIONS TO SPECIFICATIONS FOR ELECTRONIC DISCOVERY

1. Subject to a reciprocal agreement by Plaintiff to produce documents to Defendants pursuant to the same parameters, Defendants will produce electronically stored information ("ESI") and hardcopy documents in a single-page TIFF-image format with extracted or OCR text and associated metadata—a standard format in e-discovery—known as TIFF-plus. Defendants will produce electronic spreadsheets (e.g., Excel), electronic presentations (e.g., PowerPoint), desktop databases (e.g., Access), and audio or video multimedia in native format with a slip sheet identifying Bates labels and confidentiality designations. This is the only practical option given the nature of these requests and the electronically stored information they seek. Defendants further

expect that Plaintiff's counsel will take the necessary data and cybersecurity precautions to ensure that Defendants' materials are not vulnerable to security breaches or other preventable disclosure.

2. Defendants object to Instruction "f" on the grounds that it is unduly burdensome. Depending on the computer program at issue, Defendants do not have the ability or right to provide "installation files, database files, or other files, manuals, all USB or other types of security or licensing devices required to install and operate the programs." Instead, Defendants will meet and confer in good faith to determine the format of production if any responsive materials exist within unique file types.

3. Defendants object to Instruction "g," which purports to require Defendants to have an employee manually screenshot the contents of any electronic folder that contains responsive materials. Given the nature of these requests and the electronically stored information they seek, this Request is impractical and imposes undue burden and expense on Defendants.

RESPONSES AND OBJECTIONS TO SPECIFIC REQUESTS

REQUEST FOR PRODUCTION NO. 1:

"All Documents produced by You, whether as a party or non-party, in other litigation related to the promotion, marketing, distribution, and/or prescription of opioids, including, without limitation, any and all Documents produced by You in the Other Opioid Cases."

RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

Defendants object to this request to the extent that it potentially seeks documents and information protected by confidentiality agreements. Defendants further object to this Request to the extent that it calls for materials that have no bearing on the claims or defenses of any party, particularly because the request potentially calls for materials that are beyond the geographical scope of this litigation, which is limited to Oklahoma, and involve issues in other litigations that are not at issue in this lawsuit. Defendants further object to this Request on the ground that it seeks

irrelevant information that is not proportional to the needs of this case insofar as Plaintiff seeks documents regarding product-liability and personal-injury lawsuits. Defendants further object to this Request to the extent that it calls for information about non-public and confidential government investigations and regulatory actions. Defendants further object to this Request on the grounds that the phrase "distribution, and/or prescription of opioids"—in the context of deciding what litigation would be responsive to this request—is vague and ambiguous because it is subject to many interpretations.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results, but only to the extent that such materials are responsive to the State's other requests.

REQUEST FOR PRODUCTION NO. 2:

"All discovery responses, investigative demand responses, deposition transcripts, witness statements, hearing transcripts, expert reports, trial exhibits and trial transcripts from prior litigation related to the promotion, marketing, distribution, and/or prescription of opioids, including, without limitation, the Other Opioid Cases."

RESPONSE TO REQUEST FOR PRODUCTION NO. 2:

Defendants object to this request to the extent that it potentially seeks documents and information protected by confidentiality agreements. Defendants further object to this Request to the extent that it calls for materials that have no bearing on the claims or defenses of any party, particularly because the request potentially calls for materials that are beyond the geographical scope of this litigation, which is limited to Oklahoma, and involve issues in other litigations that are not at issue in this lawsuit. Defendants further object to this Request on the ground that it seeks irrelevant information that is not proportional to the needs of this case insofar as Plaintiff seeks

documents regarding product-liability and personal-injury lawsuits. Defendants further object to this Request to the extent that it calls for information about non-public and confidential government investigations and regulatory actions. Defendants further object to this Request on the grounds that the phrase "distribution, and/or prescription of opioids"—in the context of deciding what litigation would be responsive to this request—is vague and ambiguous because it is subject to many interpretations.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results, but only to the extent that such materials are responsive to the State's other requests.

REQUEST FOR PRODUCTION NO. 3:

"All Documents constituting or concerning training and education materials for opioid sales representatives, whether Your employees, contractors or third-party sales representatives, including, without limitation, all scripts, presentations, guidelines, and videos, including drafts of such materials, provided to such opioid sales representatives by You."

RESPONSE TO REQUEST FOR PRODUCTION NO. 3:

Defendants object to this Request on the grounds that the phrase "All Documents," if literally construed, would require boundless searches for every piece of paper or electronic data that in any way relates to "training and education materials for Opioids sales representatives" without regard to whether such documents concern the claims or defenses of any party. Without reasonable restriction, the Request is overbroad and the burden of the proposed discovery outweighs its likely benefit to the needs of the case. Defendants further object to this Request on the grounds that the phrase "training and education materials" is vague and ambiguous because it is subject to many interpretations.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 4:

"All Documents constituting or concerning training and education materials You provided to medical liaisons employed, retained or funded by You concerning the medical liaisons' communication with Healthcare Professionals, KOLs, and/or Front Groups regarding opioids and/or pain treatment, including but not limited to, scripts, presentations, guidelines and videos."

RESPONSE TO REQUEST FOR PRODUCTION NO. 4:

Defendants object to this Request on the grounds that the phrase "All Documents," if literally construed, would require boundless searches for every piece of paper or electronic data that in any way relates to "training and education materials You provided to medical liaison" without regard to whether such documents concern the claims or defenses of any party. Without reasonable restriction, the Request is overbroad and the burden of the proposed discovery outweighs its likely benefit to the needs of the case. Defendants further object to this Request on the grounds that the phrases "training and education materials," "medical liaisons," and "retained or funded" are vague and ambiguous because they are subject to many interpretations.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 5:

"All Communications between medical liaisons employed, retained or funded by You and Healthcare Professionals, KOLs and Front Groups regarding opioids and/or pain treatment."

RESPONSE TO REQUEST FOR PRODUCTION NO. 5:

Defendants object to this Request on the grounds that the phrase "All Communications," if literally construed, would require boundless searches for every piece of paper or electronic data with these third parties that in any way relates to "opioids and/or pain treatment." Without reasonable restriction, the Request is overbroad and the burden of the proposed discovery outweighs its likely benefit to the needs of the case. Defendants further object to this Request on the grounds that the phrases "medical liaisons," and "retained or funded" are vague and ambiguous because they are subject to many interpretations.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 6:

"All branded advertisements and/or marketing materials published by You concerning opioids, including, without limitation all videos, pamphlets, brochures, presentations, treatment guidelines, and any drafts of such materials."

RESPONSE TO REQUEST FOR PRODUCTION NO. 6:

Defendants object to this Request to the extent that it calls for materials that have no bearing on the claims or defenses of any party, particularly because the request potentially calls for materials beyond the geographical scope of this litigation, which is limited to Oklahoma.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 7:

"All Communications concerning branded advertisements and/or marketing materials published by You concerning opioids, including, without limitation all videos, pamphlets, brochures, presentations, and treatment guidelines."

RESPONSE TO REQUEST FOR PRODUCTION NO. 7:

Defendants object to this Request on the grounds that the phrase "All Communications," if literally construed, would require boundless searches for every piece of paper or electronic data that in any way relates to "branded advertisements and/or marketing materials published by You concerning opioids" without regard to whether such documents concern the claims or defenses of any party. Without reasonable restriction, the Request is overbroad and the burden of the proposed discovery outweighs its likely benefit to the needs of the case. Defendants further object to this Request to the extent that it calls for materials that have no bearing on the claims or defenses of any party, particularly because the request potentially calls for materials beyond the geographical scope of this litigation, which is limited to Oklahoma.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 8:

"All un-branded advertisements and/or marketing materials drafted, edited, influenced, funded and/or published, in whole or in part, by You, concerning opioids, including, without limitation, all videos, pamphlets, brochures, presentations, articles, treatment guidelines or other materials, and any drafts of such materials."

RESPONSE TO REQUEST FOR PRODUCTION NO. 8:

Defendants object to this Request to the extent that it calls for materials that have no bearing on the claims or defenses of any party, particularly because the request potentially calls for materials beyond the geographical scope of this litigation, which is limited to Oklahoma. Defendants further object to this Request to the extent it mischaracterizes the purpose of the purpose of "un-branded" materials as advertisements as opposed to educational materials. Defendants further object to this Request on the grounds that the phrases "un-branded advertisements and/or marketing materials," "influenced," and "in whole or in part" are vague and ambiguous because they are subject to many interpretations.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 9:

"All Communications concerning un-branded advertisements and/or marketing materials drafted, in whole or in part, by You concerning opioids, including, without limitation, all videos, pamphlets, brochures, presentations, treatment guidelines and other materials."

RESPONSE TO REQUEST FOR PRODUCTION NO. 9:

Defendants object to this Request on the grounds that the phrase "All Communications," if literally construed, would require boundless searches for every piece of paper or electronic data that in any way relates to the phrase "un-branded advertisements and/or marketing materials drafted, in whole or in part, by You concerning opioids" without regard to whether such documents concern the claims or defenses of any party. Without reasonable restriction, the Request is overbroad and the burden of the proposed discovery outweighs its likely benefit to the needs of

the case. Defendants further object to this Request to the extent that it calls for materials that have no bearing on the claims or defenses of any party, particularly because the request potentially calls for materials beyond the geographical scope of this litigation, which is limited to Oklahoma. Defendants further object to this Request to the extent it mischaracterizes the purpose of "un-branded" materials as advertisements as opposed to educational materials. Defendants further object to this Request on the grounds that the phrases "un-branded advertisements and/or marketing materials" and "in whole or in part" are vague and ambiguous because they are subject to many interpretations.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 10:

"All Documents reflecting amounts spent by You on advertising and marketing related to opioids during the Relevant Time Period."

RESPONSE TO REQUEST FOR PRODUCTION NO. 10:

Defendants object to this Request to the extent that it calls for materials that have no bearing on the claims or defenses of any party, particularly because the request potentially calls for materials beyond the geographical scope of this litigation, which is limited to Oklahoma. Defendants further object to this Request because it is overbroad and the burden of the proposed discovery outweighs its likely benefit to the needs of the case.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 11:

"All Documents reflecting amounts spent by You on unbranded opioid advertising during the Relevant Time Period."

RESPONSE TO REQUEST FOR PRODUCTION NO. 11:

Defendants object to this Request to the extent that it calls for materials that have no bearing on the claims or defenses of any party, particularly because the request potentially calls for materials beyond the geographical scope of this litigation, which is limited to Oklahoma. Defendants further object to this Request to the extent it mischaracterizes the purpose of the purpose of "un-branded" materials as advertisements as opposed to educational materials. Defendants further object to this Request because it is overbroad and the burden of the proposed discovery outweighs its likely benefit to the needs of the case.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 12:

"All organizational charts identifying Your employees involved in (1) the sale, promotion, marketing and advertising of Your opioids; and (2) the communication with Healthcare Professionals, KOLs and Front Groups regarding opioids, including Duragesic, Nucynta, and Nucynta ER, and pain treatment."

RESPONSE TO REQUEST FOR PRODUCTION NO. 12:

Defendants object to the Request on the grounds that the phrase "involved in" is vague and ambiguous because it is subject to many interpretations. Johnson & Johnson objects to the phrase

"Your opioids" on the ground that it is a holding company that does not develop, manufacture, market, or sell the opioid medications at issue in this case or any other products.

Subject to and without waiving its objections, Janssen will produce exemplar organizational charts relating to Nucynta, Nucynta IR, and/or Duragesic, if any, that can be located after a reasonably diligent search and determined to be responsive to this Request.

REQUEST FOR PRODUCTION NO. 13:

"All Communications between You and trade groups, trade associations, non-profit organizations and/or other third-party organizations concerning opioids and/or pain treatment, including but not limited to, the Front Groups."

RESPONSE TO REQUEST FOR PRODUCTION NO. 13:

Defendants object to this Request on the grounds that the phrase "All Communications," if literally construed, would require boundless searches for every piece of paper or electronic data "between You and trade groups, trade associations, non-profit organizations and/or other third-party organizations concerning opioids and/or pain treatment" without regard to whether such documents concern the claims or defenses of any party. Without reasonable restriction, the Request is overbroad and the burden of the proposed discovery outweighs its likely benefit to the needs of the case.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 14:

"All Communications between You and other opioid manufacturers concerning opioids and/or pain treatment, including, without limitation, all Communications with the Defendants in

this action, Endo Health Solutions Inc, Endo Pharmaceuticals, Inc. and/or Pfizer Inc. concerning opioids and/or pain treatment."

RESPONSE TO REQUEST FOR PRODUCTION NO. 14:

Defendants object to this Request on the grounds that the phrase "All Communications," if literally construed, would require boundless searches for every piece of paper or electronic data "between you and other opioid manufacturers concerning opioids and/or pain treatment" without regard to whether such documents concern the claims or defenses of any party. Without reasonable restriction, the Request is overbroad and the burden of the proposed discovery outweighs its likely benefit to the needs of the case. Defendants further object to this request as overbroad and unduly burdensome, and because the burden of the proposed discovery outweighs its likely benefit to the needs of the case, to the extent it seeks all communications with other opioid manufacturers, without further restriction to the claims or defenses of either party. Defendants further object to this Request to the extent disclosure of responsive information is prohibited by law or agreement. Johnson & Johnson objects to the phrase "other opioid manufacturers" as rendering this Request inapplicable to Johnson & Johnson, which is a holding company that does not develop, manufacture, market, or sell the opioid medications at issue in this case or any other products.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 15:

"All Communications between You and any opioid distributor, wholesaler, pharmacy, and/or PBM concerning opioids and/or pain treatment, including, without limitation: Cardinal

Health Inc., AmerisourceBergen Drug Corporation, McKesson Corporation, CVS, Rite Aid, Wal-Mart, and Walgreens."

RESPONSE TO REQUEST FOR PRODUCTION NO. 15:

Defendants object to this Request on the grounds that the phrase "All Communications," if literally construed, would require boundless searches for every piece of paper or electronic data "between you and other opioid manufacturers concerning opioids and/or pain treatment" without regard to whether such documents concern the claims or defenses of any party. Without reasonable restriction, the Request is overbroad and the burden of the proposed discovery outweighs its likely benefit to the needs of the case. Defendants further object to this Request as overbroad, unduly burdensome, and not proportional to the needs of the case to the extent it seeks all communications with any opioid distributor, without further restriction to the claims or defenses of either party.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 16:

"All Documents concerning Your compensation plans for sales representatives and/or sales managers, including contractors and third-party sales representatives in Oklahoma responsible for the sale of Your opioids."

RESPONSE TO REQUEST FOR PRODUCTION NO. 16:

Defendants object to this Request on the grounds that the phrase "All Documents," if literally construed, would require boundless searches for every piece of paper or electronic data that in any way relates to the phrase "Your compensation plans for sales representatives and/or sales managers, including contractors and third-party sales representatives in Oklahoma

responsible for the sale of Your opioids" without regard to whether such documents concern the claims or defenses of any party. Without reasonable restriction, the Request is overbroad and the burden of the proposed discovery outweighs its likely benefit to the needs of the case. Defendants further object to this Request on the grounds that the phrase "responsible for the sale of Your opioids" is vague and ambiguous because it is subject to many interpretations. Defendant Johnson & Johnson objects to this Request on the ground that it did not employ sales representatives or sales managers to sell opioid medications in Oklahoma or elsewhere. Johnson & Johnson is a holding company that does not develop, manufacture, market, or sell the opioid medications at issue in this case or any other products.

Subject to and without waiving its objections, Janssen will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 17:

"All labels and prescription inserts used with or considered for use with Your opioids, including drafts."

RESPONSE TO REQUEST FOR PRODUCTION NO. 17:

Defendants object to this Request on the grounds that the phrase "considered for use" is vague and ambiguous because it is subject to many interpretations. Johnson & Johnson objects to the phrase "Your opioids" on the ground that it is a holding company that does not develop, manufacture, market, or sell the opioid medications at issue in this case or any other products.

Subject to and without waiving its objections, Janssen will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 18:

"All Documents You provided to or received from KOLs concerning opioids and/or pain treatment, including, without limitation, all Communications with KOLs concerning opioids and/or pain treatment."

RESPONSE TO REQUEST FOR PRODUCTION NO. 18:

Defendants object to this Request on the grounds that the phrase "All Documents," if literally construed, would require boundless searches for every piece of paper or electronic data that in any way relates to the phrase "You provided to or received from KOLs concerning opioids and/or pain treatment" without regard to whether such documents concern the claims or defenses of any party. Without reasonable restriction, the Request is overbroad and the burden of the proposed discovery outweighs its likely benefit to the needs of the case.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 19:

"All Documents concerning Your research of Oklahoma Healthcare Professionals' and/or pharmacies' opioid prescribing habits, history, trends, sales, practices and/or abuse and diversion of opioids."

RESPONSE TO REQUEST FOR PRODUCTION NO. 19:

Defendants object to this Request to the extent it calls for information without regard to whether such documents concern the claims or defenses of any party, particularly because the Request calls for information without regard to whether "Oklahoma Healthcare Professionals and/or pharmacies" prescribed Duragesic, Nucynta and Nucynta ER. Defendants further object to

this Request on the grounds that the phrase "Your research" is vague and ambiguous because it is subject to many interpretations.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 20:

"All Documents drafted, edited, influenced, funded and/or published by You concerning 'pseudoaddiction' or 'pseudo-addiction.'"

RESPONSE TO REQUEST FOR PRODUCTION NO. 20:

Defendants object to this Request on the grounds that the phrases "edited," "influenced," and "funded" are vague and ambiguous because they are subject to many interpretations. Defendants further object to this Request because it is overbroad and the burden of the proposed discovery outweighs its likely benefit to the needs of the case.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 21:

"All Documents concerning CMEs sponsored by You, in whole or in part, related to opioids and/or pain treatment, including, without limitation, all materials made available to CME attendees."

RESPONSE TO REQUEST FOR PRODUCTION NO. 21:

Defendants object to this Request on the grounds that the phrase "All Documents," if literally construed, would require boundless searches for every piece of paper or electronic data

that in any way relates to the phrase "CMEs sponsored by You, in whole or in part, related to opioids and/or pain treatment" without regard to whether such documents concern the claims or defenses of any party. Without reasonable restriction, the Request is overbroad and the burden of the proposed discovery outweighs its likely benefit to the needs of the case. Defendants further object to this Request to the extent that it calls for materials that have no bearing on the claims or defenses of any party, particularly because the request potentially calls for materials beyond the geographical scope of this litigation, which is limited to Oklahoma. Defendants further object to this Request on the grounds that the phrase "made available" is vague and ambiguous because it is subject to many interpretations. Defendants further object to this Request to the extent that it purports to seek the production of information concerning CMEs, talks, presentations, or other programs "made available" to CME attendees without regard to whether Oklahoma prescribers attended.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 22:

"All Documents concerning opioids and/or pain treatment that You provided to any Oklahoma State agency or board, the Oklahoma State Medical Board, and/or Oklahoma medical school."

RESPONSE TO REQUEST FOR PRODUCTION NO. 22:

Defendants object to this request because it is overbroad and the burden of the proposed discovery outweighs its likely benefit to the needs of the case.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 23:

"All Documents concerning research conducted, funded, directed and/or influenced, in whole or in part, by You related to opioid risks and/or efficacy."

RESPONSE TO REQUEST FOR PRODUCTION NO. 23:

Defendants object to this Request on the grounds that the phrases "research conducted, funded, directed, and/or influenced" and "opioid risks and/or efficacy" are vague and ambiguous because they are subject to many interpretations.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 24:

"All internal Communications and Communications between You and third parties concerning research, studies, journal articles, and/or clinical trials regarding opioids and/or pain treatment, including, without limitations, all drafts of such Communications."

RESPONSE TO REQUEST FOR PRODUCTION NO. 24:

Defendants object to this Request on the grounds that the phrase "All internal Communications and Communications," if literally construed, would require boundless searches for every piece of paper or electronic data that in any way relates to the phrase "concerning research, studies, journal articles, and/or clinical trials regarding opioids and/or pain treatment" without regard to whether such documents concern the claims or defenses of any party. Without

reasonable restriction, the Request is overbroad and the burden of the proposed discovery outweighs its likely benefit to the needs of the case.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 25:

"All Documents showing opioids are not addictive, virtually nonaddictive and/or that addiction to opioids, including Duragesic, Nucynta, and Nucynta ER, occurs in less than one percent of patients being treated with opioids."

RESPONSE TO REQUEST FOR PRODUCTION NO. 25:

Defendants object to this Request on the grounds that the phrases "not addictive," "virtually nonaddictive," and "occurs in less than one percent of patients being treated with opioids" are vague and ambiguous because they are subject to many interpretations.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 26:

"All Documents showing opioids are addictive, highly addictive and/or that addiction to opioids, including Duragesic, Nucynta, and Nucynta ER, occurs in greater than one percent of patients being treated with opioids."

RESPONSE TO REQUEST FOR PRODUCTION NO. 26:

Defendants object to this Request on the ground that it potentially calls for Defendants to create documents, or gather data, that Defendants do not maintain in the ordinary course of

business. Defendants further object to this Request on the grounds that the phrases "addictive," "highly addictive," and "occurs in greater than one percent of patients being treated with opioids" are vague and ambiguous because they are subject to many interpretations.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 27:

"All Documents regarding any Duragesic, Nucynta, and Nucynta ER abuse and diversion program You established and implemented to identify Healthcare Professionals' and/or pharmacies' potential abuse or diversion of Duragesic, Nucynta, or Nucynta ER."

RESPONSE TO REQUEST FOR PRODUCTION NO. 27:

Defendants object to this Request on the ground that it potentially calls for Defendants to create documents, or gather data, that Defendants do not maintain in the ordinary course of business.

Subject to and without waiving its objections, Defendants will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

REQUEST FOR PRODUCTION NO. 28:

"All Documents concerning Your sales projections and/or research regarding the amount of reimbursement for Your opioids prescriptions that would be paid by Medicare and/or Oklahoma's Medicaid Program."

RESPONSE TO REQUEST FOR PRODUCTION NO. 28:

Defendants object to this Request on the grounds that the phrase "sales projections and or research" is vague and ambiguous because it is subject to many interpretations. Johnson & Johnson objects to the phrase "Your opioids prescriptions" on the ground that Johnson & Johnson is a holding company that does not develop, manufacture, market, or sell the opioid medications at issue in this case or any other products.

Subject to and without waiving its objections, Janssen will produce non-privileged, responsive documents, if any, after conducting a reasonably diligent search and reviewing the results.

Dated: December 13, 2017

By: /s/

Benjamin H. Odom, OBA No. 10917
John H. Sparks, OBA No. 15661
ODOM, SPARKS & JONES PLLC
Suite 140
HiPoint Office Building
2500 McGee Drive
Norman, OK 73072
Telephone: (405) 701-1863
Facsimile: (405) 310-5394
Email: sparksj@odomsparks.com

Charles C. Lifland
Jen Cardelús
O'MELVENY & MYERS LLP
400 S. Hope Street
Los Angeles, CA 90071
Telephone: (213) 430-6000
Facsimile: (213) 430-6407
Email: clifland@omm.com

Stephen D. Brody
O'MELVENY & MYERS LLP
1625 Eye Street NW
Washington, DC 20006
Telephone: (202) 383-5300
Facsimile: (202) 383-5414
Email: sbrody@omm.com

Counsel for Defendants Janssen Pharmaceuticals, Inc., Johnson & Johnson, Janssen Pharmaceutica, Inc. n/k/a Janssen Pharmaceuticals, Inc., and Ortho-McNeil-Janssen Pharmaceuticals, Inc. n/k/a/ Janssen Pharmaceuticals, Inc.

CERTIFICATE OF MAILING

Pursuant to Okla. Stat. tit. 12, § 2005(D), this is to certify on December 13, 2017, a true and correct copy of the above and foregoing has been served via the United State Postal Service, First Class postage prepaid, to the following:

Mike Hunter
ATTORNEY GENERAL FOR
THE STATE OF OKLAHOMA
Abby Dillsaver
Ethan Shaner
GENERAL COUNSEL TO
THE ATTORNEY GENERAL
313 NE 21st Street
Oklahoma City, OK 73105
Telephone: (405) 521-3921
Facsimile: (405) 521-6246
Emails: abby.dillsaver@oag.ok.gov
ethan.shaner@oag.ok.gov

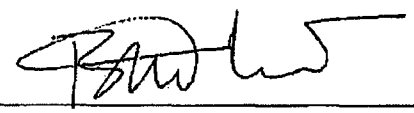
Michael Burrage
Reggie Whitten
WHITTEN BURRAGE
Suite 300
512 North Broadway Avenue
Oklahoma City, OK 73102
Telephone: (405) 516-7800
Facsimile: (405) 516-7859
Emails: mburrage@whittenburragelaw.com
rwhitten@whittenburragelaw.com

Bradley Beckworth
Jeffrey Angelovich
NIX, PATTERSON & ROACH, LLP
Suite 200
512 North Broadway Avenue
Oklahoma City, OK 73102
Telephone: (405) 516-7800
Facsimile: (405) 516-7859
Emails: bbeckworth@nixlaw.com
janglovich@npraustin.com

Glenn Coffee
GLENN COFFEE & ASSOCIATES, PLLC
915 North Robinson Avenue
Oklahoma City, OK 73102
Telephone: (405) 601-1616
Email: gcoffee@glenncoffee.com

Tracy Schumacher
SCHUMACHER & STANLEY, PLLC
114 East Main Street
Norman, OK 73072
(405) 701-1882
(405) 7015833 fax
tracy@schumacherstanley.com

Attorneys for Plaintiff



Benjamin H. Odom, OBA #10917
John H. Sparks, OBA #15661
ODOM, SPARKS & JONES, PLLC
Suite 140
HiPoint Office Building
2500 McGee Drive
Norman, OK 73072
Telephone: (405) 701-1863
Facsimile: (405) 310-5394
odomb@odomsparks.com
sparksj@odomsparks.com

Attorneys For Defendants

Johnson & Johnson, Janssen Pharmaceuticals, Inc., Janssen Pharmaceutica, Inc. N/K/A Janssen Pharmaceuticals, Inc., and Ortho-Mcneil-Janssen Pharmaceuticals, Inc. N/K/A Janssen Pharmaceuticals, Inc.

EXHIBIT C

IN THE DISTRICT COURT OF CLEVELAND COUNTY

STATE OF OKLAHOMA

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

Plaintiff,

vs.

(1) PURDUE PHARMA L.P.;
(2) PURDUE PHARMA, INC.;
(3) THE PURDUE FREDERICK COMPANY;
(4) TEVA PHARMACEUTICALS USA, INC.;
(5) CEPHALON, INC.;
(6) JOHNSON & JOHNSON;
(7) JANSSEN PHARMACEUTICALS, INC.;
(8) ORTHO-McNEIL-JANSSEN PHARMACEUTICALS, INC., n/k/a JANSSEN PHARMACEUTICALS, INC.;
(9) JANSSEN PHARMACEUTICA, INC., n/k/a JANSSEN PHARMACEUTICALS, INC.;
(10) ALLERGAN, PLC, f/k/a ACTAVIS PLC, f/k/a ACTAVIS, INC., f/k/a WATSON PHARMACEUTICALS, INC.;
(11) WATSON LABORATORIES, INC.;
(12) ACTAVIS LLC; and
(13) ACTAVIS PHARMA, INC., f/k/a WATSON PHARMA, INC.,

Defendants.

Case No. CJ-2017-816

Honorable Thad Balkman

JURY TRIAL DEMANDED

OBJECTIONS AND RESPONSES OF DEFENDANTS CEPHALON, INC., TEVA PHARMACEUTICALS USA, INC., WATSON LABORATORIES, INC., ACTAVIS LLC, AND ACTAVIS PHARMA, INC. f/k/a WATSON PHARMA INC. TO PLAINTIFF'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS

Pursuant to 12 Okl. St. § 3234 and the Court's November 14, 2017 Order, Defendants Cephalon, Inc. and Teva Pharmaceuticals USA, Inc. ("Teva USA") (collectively, the "Teva Defendants") and Watson Laboratories, Inc., Actavis LLC, and Actavis Pharma, Inc. f/k/a

Watson Pharma, Inc. (collectively, the "Acquired Actavis Entities") by and through their undersigned counsel, hereby provides the following Responses and Objections ("Responses") to Plaintiff's First Set of Requests for Production and state as follows:

PRELIMINARY STATEMENT

1. The Responses are made solely for the purpose of the above-captioned action and are not to be used in connection with any other action.

2. The Responses are based on documents and information available to the Teva Defendants and the Acquired Actavis Entities at this time, and reflect the knowledge, information, and belief of the Teva Defendants and the Acquired Actavis Entities as of the date of the Responses. The Responses are true and correct to the best knowledge of the Teva Defendants and the Acquired Actavis Entities as of this date.

3. The Teva Defendants and the Acquired Actavis Entities may engage in further investigation, discovery, and analysis, which may lead to changes in the Responses herein. Such investigation and discovery are continuing, and the Responses are given without prejudice to the right of the Teva Defendants and the Acquired Actavis Entities to produce evidence of any subsequently-discovered facts, documents, or interpretations thereof, or to supplement, modify, change, or amend the Responses, and to correct for errors, mistakes, or omissions. Reference in the Responses to a preceding or subsequent response incorporates both the information and the objections set forth in the referred-to response.

4. The Teva Defendants and the Acquired Actavis Entities will make reasonable efforts to respond to every Request, to the extent the Request has not been objected to, as the Teva Defendants and the Acquired Actavis Entities understand and interpret the Request. In the event that Plaintiff subsequently asserts an interpretation of a Request that differs from that of the Teva Defendants or the Acquired Actavis Entities, the Teva Defendants and the Acquired

Actavis Entities reserve the right to amend and/or supplement the Response, but undertake no obligation to do so.

5. In responding to the Requests for Production, the Teva Defendants and the Acquired Actavis Entities do not waive, and hereby expressly reserve: (a) the right to assert any objections as to the competency, relevancy, materiality, privilege, or admissibility as evidence, for any purpose, of any information produced in response to the Requests for Production; (b) the right to object on any ground to the use of the information produced in response to the Requests for Production at any hearing, trial, or other point during the litigation; and (c) the right to object on any ground at any time to a demand for further responses to the Requests for Production.

6. No incidental or implied admissions are intended in these Responses. That the Teva Defendants or the Acquired Actavis Entities have responded to all or any part of a Request should not be taken as, and indeed does not constitute, an admission that the Teva Defendants or the Acquired Actavis Entities accept or admit the existence of any fact set forth or assumed by the Request or that the Responses constitute admissible evidence. That the Teva Defendants or the Acquired Actavis Entities have responded to all or any part of a Request also is not intended to be, and indeed does not constitute, a waiver by the Teva Defendants or the Acquired Actavis Entities of all or any part of their objection(s) to the Request.

7. The following General Objections, Objections to Definitions, and Objections to Specifications apply to each and every one of the Requests for Production, and should be considered part of the response of the Teva Defendants and the Acquired Actavis Entities to each and every one of the Requests for Production. Any specific objections provided below are made in addition to the General Objections, Objections to Definitions, and Objections to

Specifications, and failure to reiterate an Objection to Definitions below does not constitute a waiver or limitation of that or any other objection.

GENERAL OBJECTIONS

The Teva Defendants and the Acquired Actavis Entities incorporate each of the following General Objections in their response to each Request for Production. In addition to these General Objections, the Teva Defendants and the Acquired Actavis Entities may also state specific objections to Requests where appropriate, including objections that are not generally applicable to all the Requests. By setting forth such specific objections, the Teva Defendants and the Acquired Actavis Entities do not intend to limit or restrict their General Objections. To the extent the Teva Defendants or the Acquired Actavis Entities agree to respond to Requests to which they object, such response does not constitute a waiver of any general or specific objection. The Teva Defendants and the Acquired Actavis Entities offer to meet and confer with Plaintiff regarding any and all objections set forth herein, consistent with 12 Okl. St. § 3226.

1. Inconsistent with Oklahoma Rules of Civil Procedure, Local Rules, or Court Orders: The Teva Defendants and the Acquired Actavis Entities object to each Request for Production to the extent it imposes an obligation that is inconsistent with or beyond those imposed by the Oklahoma Rules of Civil Procedure, the Local Rules, or any applicable Order of the Court.

2. Duplicative or Cumulative Requests: The Teva Defendants and the Acquired Actavis Entities object to each Request for Production to the extent it seeks information "unreasonably cumulative or duplicative or can be obtained from some other source that is more convenient, less burdensome, or less expensive." 12 Okl. St. § 3226(B)(2)(c)(1).

3. Privilege: The Teva Defendants and the Acquired Actavis Entities object to each Definition, Instruction, or Request for Production to the extent it seeks documents or information

subject to the attorney-client privilege, the work product protection doctrine, or any other applicable privilege, rule, doctrine, or immunity, whether created by statute or common law. Each Request for Production has been read to exclude discovery of such privileged information. Inadvertent production of any such information does not constitute a waiver of any privilege or any other ground for objecting to discovery with respect to such information or document, nor does inadvertent production waive the right to object to the use of any such information in any proceeding. The Teva Defendants and the Acquired Actavis Entities will log privileged documents in accordance with their obligations under the Oklahoma Rules of Civil Procedure or agreement between the parties.

4. Relevance: The Teva Defendants and the Acquired Actavis Entities object to each Request for Production to the extent it seeks information that is not relevant to the issues raised by the claims or defenses of any party. *See* 12 Okl. St. § 3226(B)(1)(a).

5. Proportionality: The Teva Defendants and the Acquired Actavis Entities object to each Request for Production to the extent it is unduly burdensome or expensive, "considering the needs of the case, the amount in controversy, the parties' resources, the importance of the issues at stake in the action, and the importance of the discovery in resolving the issues." 12 Okl. St. § 3226(B)(2)(c)(3).

6. Products Not at Issue in the Litigation: The Teva Defendants and the Acquired Actavis Entities object to each Request for Production to the extent it seeks information and documents concerning opioid products that are not at issue in this litigation. The Teva Defendants and the Acquired Actavis Entities reserve the right to redact and withhold any documents or information regarding products not at issue in this litigation. The Teva Defendants will produce documents relating to ACTIQ® (fentanyl citrate) oral transmucosal lozenge CII and

FENTORA® (fentanyl buccal tablet) CII. ACTIQ® and FENTORA® are each FDA-approved opioid agonists indicated for the management of breakthrough pain in cancer patients who are already receiving and who are tolerant to around-the-clock opioid therapy for their underlying persistent cancer pain. Patients considered opioid tolerant are those who are taking, for one week or longer, around-the-clock medicine consisting of at least 60 mg of oral morphine per day, at least 25 mcg of transdermal fentanyl per hour, at least 30 mg of oral oxycodone per day, at least 8 mg of oral hydromorphone per day, at least 25 mg of oral oxymorphone per day, at least 60 mg of oral hydrocodone per day, or an equianalgesic dose of another opioid daily for a week or longer. Patients must remain on around-the-clock opioids while taking ACTIQ® or FENTORA®.

7. Date Restriction: The Teva Defendants and the Acquired Actavis Entities object to each Request for Production to the extent it seeks information and documents without any limitation on time as overbroad, unduly burdensome, and not relevant to the claim or defense of any party. The Teva Defendants and the Acquired Actavis Entities will meet and confer with Plaintiff concerning a reasonable date restriction for the Requests for Production.

8. Not Reasonably Accessible: The Teva Defendants and the Acquired Actavis Entities objects to each Request for Production to the extent it seeks discovery of electronically stored information that is not reasonably accessible due to undue burden or cost, in violation of 12 Okl. St. § 3226(B)(2)(b).

9. Undue Burden to Produce "All," "Any," "Each," or "Every" Piece of Information: The Teva Defendants and the Acquired Actavis Entities object to each Request for Production to the extent it calls for "all," "any," "each," or "every" document, communication, or piece of information. Such requests are overbroad, oppressive, beyond the requirements of the Oklahoma

Rules of Civil Procedure, and unduly burdensome or expensive, taking into account the needs of the case, the amount in controversy, the parties' resources, the importance of the issues at stake in the action, and the importance of the discovery in resolving the issues. Responding to such a Request for Production would require a massive search for documents and information in numerous places and files, including potentially the files of hundreds of current and former employees and vendors. Further, the Teva Defendants and the Acquired Actavis Entities object to the extent that requests for "all," "any," "each," or "every" document or communication call for the production of multiple copies of the same document or communication or of duplicative and cumulative information or documents.

10. Other Entities: The Teva Defendants and the Acquired Actavis Entities object to each Request for Production to the extent it requires either to search for or obtain documents that are not in their possession, custody, or control, in violation of 12 Okl. St. § 3234. The Teva Defendants and the Acquired Actavis Entities will respond on their own behalf, and do not purport to respond on behalf of any subsidiaries, parent companies, joint ventures, partners, successors, predecessors-in-interest, agents, representatives, employees, third party contractors, or any other persons or entities acting on their behalf.

11. Third Party or Public Sources: The Teva Defendants and the Acquired Actavis Entities object to each Request for Production to the extent it seeks information or materials that are equally available to Plaintiff through public sources, third parties not under the control of the Teva Defendants or the Acquired Actavis Entities, or obtainable from some other source that is more convenient, less burdensome, or less expensive.

12. Geographic Scope: The Teva Defendants and the Acquired Actavis Entities object to each Request for Production to the extent it seeks information relating to the sale,

marketing, or use of any opioid product outside of Oklahoma because such activity is not relevant to the claim or defense of any party. The Teva Defendants and the Acquired Actavis Entities further object to each such Request for Production because even if such Request was relevant to the claims or defense of a party, such Request is overbroad and unduly burdensome.

13. Vague and Ambiguous: The Teva Defendants and the Acquired Actavis Entities object to each Request for Production to the extent it is so vague and/or ambiguous that they cannot determine what information is sought and therefore cannot provide a meaningful production.

14. Confidentiality: The Teva Defendants and the Acquired Actavis Entities object to each Request for Production to the extent it seeks information that contains or reflects any trade secret or other confidential research, development, or commercial information, or any other information of an otherwise protected nature. The Teva Defendants and the Acquired Actavis Entities further object to each Request for Production to the extent it seeks documents or information that the Teva Defendants or the Acquired Actavis Entities are prohibited from disclosing by contract, court order, statute, rule, regulation, or other law. The Teva Defendants and the Acquired Actavis Entities further object to each Request for Production to the extent they seek documents or information the disclosure of which is governed by a Protective Order entered by a court. The Teva Defendants and the Acquired Actavis Entities will produce such documents and information only after complying with, and in compliance with, the terms of a Protective Order entered by the parties.

OBJECTIONS TO DEFINITIONS

The Teva Defendants and the Acquired Actavis Entities hereby assert the following Objections to Definitions, which are hereby incorporated into each of the specific responses and objections to the Requests for Production set forth below.

1. The Teva Defendants and the Acquired Actavis Entities object to the definition of "Healthcare Professional" on the grounds that it is overly broad and unduly burdensome and seeks information that is not relevant to the claims or defenses of any party to the extent the definition includes any "person licensed under federal and/or state laws to prescribe opioids, including but not limited to, doctors, pharmacists, nurses, and other licensed healthcare professionals." The Teva Defendants and the Acquired Actavis Entities further object to the definition of "Healthcare Professional" to the extent it purports to call for information that is outside the possession, custody, or control of the Teva Defendants or the Acquired Actavis Entities.

2. The Teva Defendants and the Acquired Actavis Entities object to the definition of "Relevant Time Period" on the grounds that it is overly broad, unduly burdensome, and not proportional to the needs of the case because it seeks the production of information and documents that are outside of the scope of the relevant statute(s) of limitations and are not relevant to the claims in the Petition.

3. The Teva Defendants and the Acquired Actavis Entities object to Plaintiff's definition of "Concerning" as vague, ambiguous, overly broad, and unduly burdensome because it is not limited by time, scope, or subject matter.

4. The Teva Defendants and the Acquired Actavis Entities object to the definition of "Communication" as overly broad and unduly burdensome to the extent it purports to impose upon the Teva Defendants or the Acquired Actavis Entities any obligation inconsistent with the Oklahoma Rules of Civil Procedure.

5. The Teva Defendants and the Acquired Actavis Entities object to the definition of "Correspondence" as overly broad and unduly burdensome to the extent it purports to impose

upon the Teva Defendants or the Acquired Actavis Entities any obligation inconsistent with the Oklahoma Rules of Civil Procedure.

6. The Teva Defendants and the Acquired Actavis Entities object to the definition of "Document" as overly broad and unduly burdensome to the extent it purports to impose upon the Teva Defendants or the Acquired Actavis Entities any obligation inconsistent with the Oklahoma Rules of Civil Procedure.

7. The Teva Defendants and the Acquired Actavis Entities object to the definition of "Front Groups" on the grounds that it is overbroad and unduly burdensome and seeks information that is not relevant to the claims or defenses of any party to the extent it includes "any and all" organizations "related to opioid use and/or pain treatment." The Teva Defendants and the Acquired Actavis Entities further object that the phrase "related to opioid use and/or pain treatment" is vague and ambiguous.

8. The Teva Defendants and the Acquired Actavis Entities object to the definition of "KOLs" on the grounds that it is overbroad and unduly burdensome and seeks information that is not relevant to the claims or defenses of any party to the extent it includes "issues related to opioids and/or pain treatment." The Teva Defendants and the Acquired Actavis Entities further object that the phrase "issues related to opioids and/or pain treatment" is vague and ambiguous.

9. The Teva Defendants object to the definition of "Cephalon" on the grounds that it purports to require the Teva Defendants to produce information outside the possession, custody, or control of the Teva Defendants, and to the extent that it seeks to impose obligations inconsistent with the Oklahoma Rules of Civil Procedure. In responding to these Requests for Production, the Teva Defendants will respond on their own behalf, and do not purport to respond on behalf of any subsidiaries, parent companies, joint ventures, partners, successors,

predecessors-in-interest, agents, representatives, employees, third party contractors, or any other persons or entities acting on its behalf.

10. The Acquired Actavis Entities object to the definition of "Actavis" on the grounds that it purports to require the Acquired Actavis Entities to produce information outside the possession, custody, or control of the Acquired Actavis Entities, and to the extent that it seeks to impose obligations inconsistent with the Oklahoma Rules of Civil Procedure. In responding to these Requests for Production, the Acquired Actavis Entities will respond on their own behalf, and do not purport to respond on behalf of any subsidiaries, parent companies, joint ventures, partners, successors, predecessors-in-interest, agents, representatives, employees, third party contractors, or any other persons or entities acting on its behalf.

11. The Teva Defendants object to the definition of "You" to the extent it incorporates the defined term "Cephalon" for the reasons stated above with respect to the definition of "Cephalon."

12. The Acquired Actavis Entities object to the definition of "You" to the extent it incorporates the defined term "Actavis" for the reasons stated above with respect to the definition of "Actavis."

OBJECTIONS TO SPECIFICATIONS FOR ELECTRONIC DISCOVERY

The Teva Defendants and the Acquired Actavis Entities object to the Specifications for Electronic Discovery on the grounds that it purports to impose on the Teva Defendants and the Acquired Actavis Entities obligations that are broader than and inconsistent with those imposed by the Oklahoma Rules of Civil Procedure. The Teva Defendants and the Acquired Actavis Entities will respond to these Requests for Production consistent with their obligations under the Oklahoma Rules of Civil Procedure. Documents produced by the Teva Defendants and the Acquired Actavis Entities in response to these Requests for Production will be in a form that is

reasonably usable. With respect to documents that the Teva Defendants and the Acquired Actavis Entities have maintained in the normal course of business as electronically stored information and that the Teva Defendants and the Acquired Actavis Entities agree to produce as part of their response to these Requests, subject to a Protective Order in this matter, the Teva Defendants and the Acquired Actavis Entities will produce such materials in a reasonably usable form consisting of: (i) bates-numbered TIFF images of the electronically stored information; (ii) the non-privileged and non-work-product searchable text of the electronically stored information in a format compatible with industry-standard litigation-support applications; (iii) a compatible load file that will assist Plaintiff in organizing and examining the electronically stored information; and (iv) reasonably accessible metadata fields extracted from the respective electronic document. Electronic documents will be produced in black and white single-page TIFF documents, except for Excel, PowerPoint, database, or media files whose content cannot reasonably be revealed and rendered into a TIFF image. With respect to documents that the Teva Defendants and the Acquired Actavis Entities have maintained in the normal course of business as hardcopy format, the Teva Defendants and the Acquired Actavis Entities may produce responsive hardcopy files as scanned images with load files compatible with industry standard litigation-support applications.

REQUESTS FOR PRODUCTION

DOCUMENT REQUEST NO. 1: All Documents produced by You, whether as a party or non-party, in other litigation related to the promotion, marketing, distribution, and/or prescription of opioids, including, without limitation, any and all Documents produced by You in the Other Opioid Cases.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic

Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 1 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of documents concerning unidentified litigation "related to the promotion, marketing, distribution, and/or prescription of opioids . . . without limitation" no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 1 to the extent it calls for production of documents concerning "litigation" that are equally available to Plaintiff from other sources, including, but not limited to, information in the public domain. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 1 on the grounds that it fails to specify a time period for the request or a geographic scope that is pertinent to this lawsuit. The Teva Defendants and the Acquired Actavis Entities further object that the phrase "litigation related to" in Request No. 1 is vague and ambiguous. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

DOCUMENT REQUEST NO. 2: All discovery responses, investigative demand responses, deposition transcripts, witness statements, hearing transcripts, expert reports, trial exhibits and trial transcripts from prior litigation related to the promotion, marketing, distribution, and/or prescription of opioids, including, without limitation, the Other Opioid Cases.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 2 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of documents, "without limitation," no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 2 to the extent it calls for production of documents concerning "litigation" that are equally available to Plaintiff from other sources, including, but not limited to, information in the public domain. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 2 to the extent it purports to call for documents outside the possession, custody, or control of the Teva Defendants or the Acquired Actavis Entities. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 2 on the grounds that it fails to specify a time period for the request or a geographic scope that is pertinent to this lawsuit. The Teva Defendants and the Acquired Actavis Entities further object that the phrase "litigation related to" in Response No. 2 is vague and ambiguous. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

DOCUMENT REQUEST NO. 3: All Documents constituting or concerning training and education materials for opioid sales representatives, whether Your employees, contractors or third-party sales representatives, including, without limitation, all scripts, presentations,

guidelines, and videos, including drafts of such materials, provided to such opioid sales representatives by You.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 3 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of documents no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 3 on the grounds that it fails to specify a time period for the request or a geographic scope that is pertinent to this lawsuit. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

Subject to and without waiver of any objection and subject to the entry of an appropriate Protective Order, the Teva Defendants and the Acquired Actavis Entities are willing to discuss with Plaintiff the production of training and education materials provided to opioid sales representatives determined to be responsive to this Request to the extent that they are within the possession, custody, and control of the Teva Defendants and the Acquired Actavis Entities, and can be located through a reasonable search. The timing and scope of the production shall be determined following a meet and confer with Plaintiff and pursuant to a Stipulated Order Regarding Discovery of Electronically Stored Information.

DOCUMENT REQUEST NO. 4: All Documents constituting or concerning training and education materials You provided to medical liaisons employed, retained or funded by You concerning the medical liaisons' communication with Healthcare Professionals, KOLs, and/or Front Groups regarding opioids and/or pain treatment, including but not limited to, scripts, presentations, guidelines and videos.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 4 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of documents no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 4 on the grounds that it fails to specify a time period for the request or a geographic scope that is pertinent to this lawsuit. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

Subject to and without waiver of any objection and subject to the entry of an appropriate Protective Order, the Teva Defendants and the Acquired Actavis Entities are willing to discuss with Plaintiff the production of training and education materials provided to medical liaisons determined to be responsive to this Request to the extent that they are within the possession, custody, and control of the Teva Defendants and the Acquired Actavis Entities, and can be

located through a reasonable search. The timing and scope of the production shall be determined following a meet and confer with Plaintiff and pursuant to a Stipulated Order Regarding Discovery of Electronically Stored Information.

DOCUMENT REQUEST NO. 5: All Communications between medical liaisons employed, retained or funded by You and Healthcare Professionals, KOLs and Front Groups regarding opioids and/or pain treatment.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 5 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Communications between medical liaisons" and "Healthcare Professionals, KOLs and Front Groups" no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 5 on the grounds that it fails to specify a time period for the request or a geographic scope that is pertinent to this lawsuit. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

DOCUMENT REQUEST NO. 6: All branded advertisements and/or marketing materials published by You concerning opioids, including, without limitation all videos, pamphlets, brochures, presentations, treatment guidelines, and any drafts of such materials.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 6 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of documents, "without limitation," no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 6 on the grounds that it fails to specify a time period for the request or a geographic scope that is pertinent to this lawsuit. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

Subject to and without waiver of any objection and subject to the entry of an appropriate Protective Order, the Teva Defendants and the Acquired Actavis Entities are willing to discuss with Plaintiff the production of branded advertisements and/or marketing materials determined to be responsive to this Request to the extent that they are within the possession, custody, and control of the Teva Defendants and the Acquired Actavis Entities, and can be located through a reasonable search. The timing and scope of the production shall be determined following a meet and confer with Plaintiff and pursuant to a Stipulated Order Regarding Discovery of Electronically Stored Information.

DOCUMENT REQUEST NO. 7: All Communications concerning branded advertisements and/or marketing materials published by You concerning opioids, including, without limitation all videos, pamphlets, brochures, presentations, and treatment guidelines.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 7 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Communications concerning branded advertisements and/or marketing materials . . . without limitation," no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 7 on the grounds that it fails to specify a time period for the request or a geographic scope that is pertinent to this lawsuit. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

DOCUMENT REQUEST NO. 8: All un-branded advertisements and/or marketing materials drafted, edited, influenced, funded and/or published, in whole or in part, by You, concerning opioids, including, without limitation, all videos, pamphlets, brochures, presentations, articles, treatment guidelines or other materials, and any drafts of such materials.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic

Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 8 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of documents, "without limitation," no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 8 on the grounds that it fails to specify a time period for the request or a geographic scope that is pertinent to this lawsuit. The Teva Defendants and the Acquired Actavis Entities further object that the terms "un-branded," "edited," and "influenced" as used in Request No. 8 are vague and ambiguous. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

DOCUMENT REQUEST NO. 9: All Communications concerning un-branded advertisements and/or marketing materials drafted, in whole or in part, by You concerning opioids, including, without limitation, all videos, pamphlets, brochures, presentations, treatment guidelines and other materials..

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 9 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties'

resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Communications concerning un-branded advertisements and/or marketing materials . . . without limitation," no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 9 on the grounds that it fails to specify a time period for the request or a geographic scope that is pertinent to this lawsuit. The Teva Defendants and the Acquired Actavis Entities further object that the term "un-branded" as used in Request No. 9 is vague and ambiguous. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

DOCUMENT REQUEST NO. 10: All Documents reflecting amounts spent by You on advertising and marketing related to opioids during the Relevant Time Period.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 10 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Documents reflecting amounts spent" by the Teva Defendants and the Acquired Actavis Entities "on advertising and marketing relating to opioids" no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request

No. 10 on the grounds that it fails to specify a time period for the request or a geographic scope that is pertinent to this lawsuit. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

DOCUMENT REQUEST NO. 11: All Documents reflecting amounts spent by You on unbranded opioid advertising during the Relevant Time Period.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 11 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Documents reflecting amounts spent" by the Teva Defendants and the Acquired Actavis Entities "on unbranded opioid advertising" no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 11 on the grounds that it fails to specify a time period for the request or a geographic scope that is pertinent to this lawsuit. The Teva Defendants and the Acquired Actavis Entities further object that the term "unbranded" as used in Request No. 11 is vague and ambiguous. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

DOCUMENT REQUEST NO. 12 [FOR THE TEVA DEFENDANTS]: All organizational charts identifying Your employees involved in (1) the sale, promotion, marketing

and advertising of Your opioids; and (2) the communication with Healthcare Professionals, KOLs and Front Groups regarding opioids, including Actiq and Fentora, and pain treatment.

RESPONSE: The Teva Defendants incorporate their general objections, objections to definitions, and specifications for electronic discovery. The Teva Defendants object to Request No. 12 on the grounds that it seeks information that is not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent it seeks the identification of employees no matter how tangential the connection to the claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants further object to Request No. 12 on the grounds that it fails to specify a time period for the request or a geographic scope that is pertinent to this lawsuit. The Teva Defendants are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

Subject to and without waiver of any objection and subject to the entry of an appropriate Protective Order, the Teva Defendants are willing to discuss with Plaintiff the production of pertinent organizational charts that may contain information sufficient to identify persons employed by the Teva Defendants relevant to this request to the extent that they are within the possession, custody, and control of the Teva Defendants, and can be located through a reasonable search. The timing and scope of the production shall be determined following a meet and confer with Plaintiff and pursuant to a Stipulated Order Regarding Discovery of Electronically Stored Information.

DOCUMENT REQUEST NO. 12 [FOR THE ACQUIRED ACTAVIS ENTITIES]: All organizational charts identifying Your employees involved in (1) the sale, promotion,

marketing and advertising of Your opioids; and (2) the communication with Healthcare Professionals, KOLs and Front Groups regarding opioids, including Kadian and Norco, and pain treatment.

RESPONSE: The Acquired Actavis Entities incorporate their general objections, objections to definitions, and specifications for electronic discovery. The Acquired Actavis Entities object to Request No. 12 on the grounds that it seeks information that is not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent it seeks the identification of employees no matter how tangential the connection to the claims and defenses and pertaining to locations outside of Oklahoma. The Acquired Actavis Entities further object to Request No. 12 on the grounds that it fails to specify a time period for the request or a geographic scope that is pertinent to this lawsuit. The Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

Subject to and without waiver of any objection and subject to the entry of an appropriate Protective Order, the Acquired Actavis Entities are willing to discuss with Plaintiff the production of pertinent organizational charts that may contain information sufficient to identify persons employed by the Acquired Actavis Entities relevant to this request to the extent that they are within the possession, custody, and control of the Acquired Actavis Entities, and can be located through a reasonable search. The timing and scope of the production shall be determined following a meet and confer with Plaintiff and pursuant to a Stipulated Order Regarding Discovery of Electronically Stored Information.

DOCUMENT REQUEST NO. 13: All Communications between You and trade groups, trade associations, non-profit organizations and/or other third-party organizations concerning opioids and/or pain treatment, including but not limited to, the Front Groups.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 13 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Communications" between the Teva Defendants or the Acquired Actavis Entities and an unlimited amount of unspecified third party entities no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 13 on the grounds that it fails to specify a time period for the request or a geographic scope that is pertinent to this lawsuit. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

DOCUMENT REQUEST NO. 14: All Communications between You and other opioid manufacturers concerning opioids and/or pain treatment, including, without limitation, all Communications with the Defendants in this action, Endo Health Solutions Inc, Endo Pharmaceuticals, Inc. and/or Pfizer Inc. concerning opioids and/or pain treatment.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic

Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 14 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Communications" between the Teva Defendants and the Acquired Actavis Entities and a limitless amount of unspecified pharmaceutical manufacturers "concerning opioids and/or pain treatment . . . without limitation" no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 14 on the grounds that it fails to specify a time period for the request or a geographic scope that is pertinent to this lawsuit. The Teva Defendants and the Acquired Actavis Entities further object to the phrase "concerning opioids and/or pain treatment" as used in Request No. 14 as vague, ambiguous, and overly broad. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

DOCUMENT REQUEST NO. 15: All Communications between You and any opioid distributor, wholesaler, pharmacy, and/or PBM concerning opioids and/or pain treatment, including, without limitation: Cardinal Health Inc., AmerisourceBergen Drug Corporation, McKesson Corporation, CVS, Rite Aid, Wal-Mart, and Walgreens.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 15 on the grounds that it calls for documents that are not relevant to the issues raised by the parties'

claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Communications" between the Teva Defendants and the Acquired Actavis Entities and any unspecified "opioid distributor, wholesaler, pharmacy, and/or PBM concerning opioid and/or pain treatment" no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 15 on the grounds that it fails to specify a time period for the request or a geographic scope that is pertinent to this lawsuit. The Teva Defendants and the Acquired Actavis Entities further object to the phrase "concerning opioids and/or pain treatment" as used in Request No. 15 as vague, ambiguous, and overly broad. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

DOCUMENT REQUEST NO. 16: All Documents concerning Your compensation plans for sales representatives and/or sales managers, including contractors and third-party sales representatives in Oklahoma responsible for the sale of Your opioids.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 16 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports

to seek production of "all Documents concerning" the "compensation plans for sales representative and/or sales managers" no matter how tangential the relation to the parties' claims and defenses. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 16 on the grounds that it fails to specify a time period for the request. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

Subject to and without waiver of any objection and subject to the entry of an appropriate Protective Order, the Teva Defendants and the Acquired Actavis Entities are willing to discuss with Plaintiff the production of compensation plans for sales representatives and managers in Oklahoma determined to be responsive to this Request to the extent that they are within the possession, custody, and control of the Teva Defendants or the Acquired Actavis Entities, and can be located through a reasonable search. The timing and scope of the production shall be determined following a meet and confer with the Plaintiff and pursuant to a Stipulated Order Regarding Discovery of Electronically Stored Information.

DOCUMENT REQUEST NO. 17: All labels and prescription inserts used with or considered for use with Your opioids, including drafts.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 17 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports

to seek production of documents, "including drafts," no matter how tangential the relation to the parties' claims and defenses. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 17 on the grounds that it fails to specify a time period for the request. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

Subject to and without waiver of any objection and subject to the entry of an appropriate Protective Order, the Teva Defendants and the Acquired Actavis Entities are willing to discuss with Plaintiff the production of non-privileged documents determined to be responsive to this Request to the extent that they are within the possession, custody, and control of the Teva Defendants or the Acquired Actavis Entities, and can be located through a reasonable search. The timing and scope of the production shall be determined following a meet and confer with the Plaintiff and pursuant to a Stipulated Order Regarding Discovery of Electronically Stored Information.

DOCUMENT REQUEST NO. 18: All Documents You provided to or received from KOLs concerning opioids and/or pain treatment, including, without limitation, all Communications with KOLs concerning opioids and/or pain treatment.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 18 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports

to seek production of "all Documents" and "all Communications" exchanged between the Teva Defendants or the Acquired Actavis Entities and KOLs "concerning opioids and/or pain treatment . . . without limitation" no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 18 on the grounds that it fails to specify a time period or a geographic scope for the request. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

Subject to and without waiver of any objection and subject to the entry of an appropriate Protective Order, the Teva Defendants and the Acquired Actavis Entities are willing to discuss with Plaintiff the production of documents determined to be responsive to this Request to the extent that they are within the possession, custody, and control the Teva Defendants or the Acquired Actavis Entities, and can be located through a reasonable search. The timing and scope of the production shall be determined following a meet-and-confer with the Plaintiff and pursuant to a Stipulated Order Regarding Discovery of Electronically Stored Information.

DOCUMENT REQUEST NO. 19: All Documents concerning Your research of Oklahoma Healthcare Professionals' and/or pharmacies' opioid prescribing habits, history, trends, sales, practices and/or abuse and diversion of opioids.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 19 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into

consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Documents" no matter how tangential the relation to the parties' claims and defenses. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 19 on the grounds that it fails to specify a time period for the request. The Teva Defendants and the Acquired Actavis Entities further object that the term "research" as used in Request No. 19 is vague and ambiguous. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

DOCUMENT REQUEST NO. 20: All Documents drafted, edited, influenced, funded and/or published by You concerning "pseudoaddiction" or "pseudo-addiction."

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 20 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Documents," not limited by any source, relating to terms that, among other qualifiers, were "influenced" by the Teva Defendants or the Acquired Actavis Entities no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 20 on the grounds that it fails to specify a time period or a geographic scope for the

request. The Teva Defendants and the Acquired Actavis Entities further object that the terms "edited" and "influenced" as used in Request No. 20 are vague and ambiguous. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

Subject to and without waiver of any objection and subject to the entry of an appropriate Protective Order, the Teva Defendants and the Acquired Actavis Entities are willing to discuss with Plaintiff the production of non-privileged documents relating to the risk, benefits, and side-effects of relevant products as disclosed and addressed in the FDA-approved full prescribing information for those products, determined to be responsive to this Request to the extent that they are within the possession, custody, and control of the Teva Defendants or the Acquired Actavis Entities, and can be located through a reasonable search. The timing and scope of the production shall be determined following a meet and confer with the Plaintiff and pursuant to a Stipulated Order Regarding Discovery of Electronically Stored Information.

DOCUMENT REQUEST NO. 21: All Documents concerning CMEs sponsored by You, in whole or in part, related to opioids and/or pain treatment, including, without limitation, all materials made available to CME attendees.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 21 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports

to seek production of "all Documents," including, "without limitation, all materials made available to CME attendees," irrespective of the parties' possession, custody, and control, and no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 21 on the grounds that it fails to specify a time period or a geographic scope for the request. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

Subject to and without waiver of any objection and subject to the entry of an appropriate Protective Order, the Teva Defendants and the Acquired Actavis Entities are willing to discuss with Plaintiff the production of non-privileged documents, including a list of CMEs conducted in Oklahoma sponsored by the Teva Defendants or the Acquired Actavis Entities, determined to be responsive to this Request to the extent that they are within the possession, custody, and control of the Teva Defendants or the Acquired Actavis Entities, and can be located through a reasonable search. The timing and scope of the production shall be determined following a meet and confer with the Plaintiff and pursuant to a Stipulated Order Regarding Discovery of Electronically Stored Information.

DOCUMENT REQUEST NO. 22: All Documents concerning opioids and/or pain treatment that You provided to any Oklahoma State agency or board, the Oklahoma State Medical Board, and/or Oklahoma medical school.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 22 on the grounds that it calls for documents that are not relevant to the issues raised by the parties'

claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Documents concerning opioids and/or pain treatment" no matter how tangential the relation to the parties' claims and defenses. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 22 on the grounds that it fails to specify a time period for the request. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

DOCUMENT REQUEST NO. 23: All Documents concerning research conducted, funded, directed and/or influenced, in whole or in part, by You related to opioid risks and/or efficacy.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 23 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Documents concerning research," not limited by any source, that was, at a minimum, "influenced" by the Teva Defendants or the Acquired Actavis Entities no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 23 on the grounds that it fails to specify a time period or a geographic scope for the request.

The Teva Defendants and the Acquired Actavis Entities further object that the term "influenced" as used in Request No. 23 is vague and ambiguous. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 23 on the grounds that it requests documents out of the possession, custody, and control of the Teva Defendants and the Acquired Actavis Entities. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

DOCUMENT REQUEST NO. 24: All internal Communications and Communications between You and third parties concerning research, studies, journal articles, and/or clinical trials regarding opioids and/or pain treatment, including, without limitations, all drafts of such Communications.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 24 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all internal Communications and Communications" between the Teva Defendants or the Acquired Actavis Entities and unidentified and unlimited third parties no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 24 on the grounds that it fails to specify a time period or a geographic scope for the request. The Teva Defendants and the Acquired Actavis Entities further object that the

undefined term "internal" as used in Request No. 24 is vague and ambiguous. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 24 on the grounds that it requests documents out of the possession, custody, and control of the Teva Defendants and the Acquired Actavis Entities. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

Subject to and without waiver of any objection and subject to the entry of an appropriate Protective Order, the Teva Defendants and the Acquired Actavis Entities are willing to discuss with Plaintiff the production of documents determined to be responsive to this Request to the extent that they are within the possession, custody, and control of the Teva Defendants and the Acquired Actavis Entities, and can be located through a reasonable search. The timing and scope of the production shall be determined following a meet and confer with the Plaintiff and pursuant to a Stipulated Order Regarding Discovery of Electronically Stored Information.

DOCUMENT REQUEST NO. 25 [FOR THE TEVA DEFENDANTS]: All Documents showing opioids are not addictive, virtually nonaddictive and/or that addiction to opioids, including Actiq and Fentora, occurs in less than one percent of patients being treated with opioids.

RESPONSE: The Teva Defendants incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants object to Request No. 25 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Documents," regardless of source no matter how

tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants further object to Request No. 25 on the grounds that it fails to specify a time period or a geographic scope for the request. The Teva Defendants further object that the undefined terms and phrases "addictive," "virtually nonaddictive," and "addiction" as used in Request No. 25 are vague and ambiguous. The Teva Defendants further object to Request No. 25 on the grounds that it requests documents out of the possession, custody, and control of the Teva Defendants, including about opioid products that are not manufactured, promoted, or marketed by the Teva Defendants. The Teva Defendants are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

Subject to and without waiver of any objection and subject to the entry of an appropriate Protective Order, the Teva Defendants are willing to discuss with Plaintiff the production of documents determined to be responsive to this Request to the extent that they are within the possession, custody, and control of the Teva Defendants, and can be located through a reasonable search. The timing and scope of the production shall be determined following a meet and confer with the Plaintiff and pursuant to a Stipulated Order Regarding Discovery of Electronically Stored Information.

DOCUMENT REQUEST NO. 25 [FOR THE ACQUIRED ACTAVIS ENTITIES]: All Documents showing opioids are not addictive, virtually nonaddictive and/or that addiction to opioids, including Kadian and Norco, occurs in less than one percent of patients being treated with opioids.

RESPONSE: The Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Acquired Actavis Entities object to Request No. 25 on the grounds that it calls for documents

that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Documents," regardless of source no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Acquired Actavis Entities further object to Request No. 25 on the grounds that it fails to specify a time period or a geographic scope for the request. The Acquired Actavis Entities further object that the undefined terms and phrases "addictive," "virtually nonaddictive," and "addiction" as used in Request No. 25 are vague and ambiguous. The Acquired Actavis Entities further object to Request No. 25 on the grounds that it requests documents out of the possession, custody, and control of the Acquired Actavis Entities, including about opioid products that are not manufactured, promoted, or marketed by the Acquired Actavis Entities. The Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

DOCUMENT REQUEST NO. 26 [FOR THE TEVA DEFENDANTS]: All Documents showing opioids are addictive, highly addictive and/or that addiction to opioids, including Actiq and Fentora, occurs in greater than one percent of patients being treated with opioids.

RESPONSE: The Teva Defendants incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants object to Request No. 26 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations

on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Documents," regardless of source no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants further object to Request No. 26 on the grounds that it fails to specify a time period or a geographic scope for the request. The Teva Defendants further object that the undefined terms and phrases "addictive," "highly addictive," and "addiction" as used in Request No. 26 are vague and ambiguous. The Teva Defendants further object to Request No. 26 on the grounds that it requests documents out of the possession, custody, and control of the Teva Defendants, including about opioid products that were not manufactured, promoted, or marketed by the Teva Defendants. The Teva Defendants are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

Subject to and without waiver of any objection and subject to the entry of an appropriate Protective Order, the Teva Defendants are willing to discuss with Plaintiff the production of documents determined to be responsive to this Request to the extent that they are within the possession, custody, and control of the Teva Defendants, and can be located through a reasonable search. The timing and scope of the production shall be determined following a meet and confer with the Plaintiff and pursuant to a Stipulated Order Regarding Discovery of Electronically Stored Information.

DOCUMENT REQUEST NO. 26 [FOR THE ACQUIRED ACTAVIS ENTITIES]: All Documents showing opioids are addictive, highly addictive and/or that addiction to opioids, including Kadian and Norco, occurs in greater than one percent of patients being treated with opioids.

RESPONSE: The Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Acquired Actavis Entities object to Request No. 26 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Documents," regardless of source no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Acquired Actavis Entities further object to Request No. 26 on the grounds that it fails to specify a time period or a geographic scope for the request. The Acquired Actavis Entities further object that the undefined terms and phrases "addictive," "highly addictive" and "addiction" as used in Request No. 26 are vague and ambiguous. The Acquired Actavis Entities further object to Request No. 26 on the grounds that it requests documents out of the possession, custody, and control of the Acquired Actavis Entities, including about opioid products that were not manufactured, promoted, or marketed by the Acquired Actavis Entities. The Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

DOCUMENT REQUEST NO. 27 [FOR THE TEVA DEFENDANTS]: All Documents regarding any Actiq and Fentora abuse and diversion program You established and implemented to identify Healthcare Professionals' and/or pharmacies' potential abuse or diversion of Actiq and Fentora.

RESPONSE: The Teva Defendants incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants

object to Request No. 27 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Documents" no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants further object to Request No. 27 on the grounds that it fails to specify a time period or a geographic scope for the request. The Teva Defendants are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

Subject to and without waiver of any objection and subject to the entry of an appropriate Protective Order, the Teva Defendants are willing to discuss with Plaintiff the production of non-privileged documents related to the inclusion of ACTIQ® and FENTORA® in the TIRF REMS Access Program determined to be responsive to this Request to the extent that they are within the possession, custody, and control of the Teva Defendants, and can be located through a reasonable search. The timing and scope of the production shall be determined following a meet and confer with the Plaintiff and pursuant to a Stipulated Order Regarding Discovery of Electronically Stored Information.

DOCUMENT REQUEST NO. 27 [FOR THE ACQUIRED ACTAVIS ENTITIES]: All Documents regarding any Kadian and Norco abuse and diversion program You established and implemented to identify Healthcare Professionals' and/or pharmacies' potential abuse or diversion of Kadian and/or Norco.

RESPONSE: The Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The

Acquired Actavis Entities object to Request No. 27 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Documents" no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Acquired Actavis Entities further object to Request No. 27 on the grounds that it fails to specify a time period or a geographic scope for the request. The Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

DOCUMENT REQUEST NO. 28: All Documents concerning Your sales projections and/or research regarding the amount of reimbursement for Your opioids prescriptions that would be paid by Medicare and/or Oklahoma's Medicaid Program.

RESPONSE: The Teva Defendants and the Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Teva Defendants and the Acquired Actavis Entities object to Request No. 28 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Documents" no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Teva Defendants and the Acquired Actavis Entities further object to Request No. 28 on the grounds that it fails to

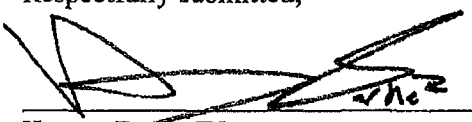
specify a time period or a geographic scope for the request. The Teva Defendants and the Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

DOCUMENT REQUEST NO. 29 [FOR THE ACQUIRED ACTAVIS ENTITIES]: All documents concerning Your acquisition of the rights to Kadian.

RESPONSE: The Acquired Actavis Entities incorporate their General Objections, Objections to Definitions, and Objections to Specifications for Electronic Discovery. The Acquired Actavis Entities object to Request No. 29 on the grounds that it calls for documents that are not relevant to the issues raised by the parties' claims or defenses, is overly broad, and is unduly burdensome or expensive, taking into consideration the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the litigation to the extent that it purports to seek production of "all Documents" no matter how tangential the relation to the parties' claims and defenses and pertaining to locations outside of Oklahoma. The Acquired Actavis Entities further object to Request No. 29 on the grounds that it fails to specify a time period or a geographic scope for the request. The Acquired Actavis Entities are willing to meet and confer with Plaintiff to discuss a reasonable narrowing of this request.

Dated: December 13, 2017

Respectfully submitted,

By: 

Harvey Bartle IV
Steven A. Reed
MORGAN, LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103-2921
T: +1.215.963.5000
Email: harvey.bartle@morganlewis.com
Email: steven.reed@morganlewis.com

Brian M. Ercole
MORGAN, LEWIS & BOCKIUS LLP
200 S. Biscayne Blvd., Suite 5300
Miami, FL 33131
T: +1.305.415.3416
Email: brian.ercole@morganlewis.com

Robert G. McCampbell, OBA No. 10390
GABLEGOTWALS
One Leadership Square, 15th Fl.
211 North Robinson
Oklahoma City, OK 73102-7255
T: +1.405.235.5567
Email: RMcCampbell@Gablelaw.com

Attorneys for Defendants Cephalon, Inc., Teva Pharmaceuticals USA, Inc., Watson Laboratories, Inc., Actavis LLC, and *Actavis Pharma, Inc. f/k/a Watson Pharma, Inc.*

IN THE DISTRICT COURT OF CLEVELAND COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel., MIKE HUNTER, ATTORNEY GENERAL OF OKLAHOMA, Plaintiff, v. PURDUE PHARMA L.P., *et al.*, Defendants.	Case No. CJ-2017-816 Judge Thad Balkman William C. Hetherington Special Discovery Master

JANSSEN DEFENDANTS' OPPOSITION TO PLAINTIFF'S FIRST MOTION TO COMPEL DISCOVERY AND BRIEF IN SUPPORT

Defendants Johnson & Johnson and Janssen Pharmaceuticals, Inc. (collectively "Janssen") oppose Plaintiff's First Motion to Compel Discovery ("Motion") because it is not ripe for resolution and should be denied in its entirety as to Janssen.

I. INTRODUCTION

Plaintiff's Motion does not articulate any specific failure by Janssen to comply with Plaintiff's discovery requests. To the contrary, the Motion shows that Janssen is actively conferring in good faith with Plaintiff and producing responsive documents. Janssen's rolling document production is already underway with the first production—10,278 documents totaling approximately 132,711 pages—having been delivered to Plaintiff on March 16, 2018, and the second production—62,397 documents totaling approximately 283,103 pages—set to be delivered to Plaintiff on or by March 23, 2018. Janssen will then follow up with another production by the first week of April that will contain approximately 100,000 documents. Plaintiff and Janssen have met and conferred only once, on March 14, 2018, and have agreed to schedule a second meet-and-

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confer this week. Janssen has not reached an impasse with Plaintiff on any of the issues raised in the Motion. In the absence of an impasse, Plaintiff's Motion should be denied.

II. LEGAL STANDARD

"Parties may obtain discovery regarding any matter, not privileged, which is relevant to any party's claim or defense, reasonably calculated to lead to the discovery of admissible evidence and proportional to the needs of the case, considering the importance of the issues at stake in the action, the amount in controversy, the parties' relative access to relevant information, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit." OKLA. STAT. ANN. tit. 12, § 3226(B)(1)(a) (West 2018).[1] A party "may move for an order compelling an answer, or a designation, or an order compelling inspection and copying" only when "a party fails to answer an interrogatory" or "fails to produce documents or respond that the inspection or copying will be permitted as requested or fails to permit the inspection or copying as requested." *Id.* § 3237(A)(2).

[1] The Oklahoma Legislature's amendments to certain sections of the Discovery Code, effective November 1, 2017, apply to all discovery disputes and decisions of this Court going forward. Plaintiff correctly states the general presumption that statutes operate prospectively. Mot. at 5 n.2 (quoting *Shepard v. Okla. Dep't of Corr.*, 2015 OK 8, ¶ 13, 345 P.3d 377). However, "[t]he long-recognized exception to that rule is: 'No one has a vested right in any particular mode of procedure for the enforcement or defense of his rights. Hence the general rule that statutes will be construed to be prospective only *does not apply to statutes affecting procedure*; but such statutes, unless the contrary intention is clearly expressed or implied, apply to all actions falling within their terms, *whether the right of action existed before or accrued after the enactment.*'" *Gentry v. Cotton Elec. Co-op., Inc.*, 2011 OK CIV APP 24, ¶ 8, 268 P.3d 534 (emphasis added) (quoting *Shelby-Downard Asphalt Co. v. Enyart*, 1918 OK 50, ¶ 0 (Syllabus of the Court), and holding that a statutory amendment affecting the standard of review on appeal was procedural and applied to the appeal at issue even though the certification order was filed before the statute had taken effect). *See also Cole v. Silverado Foods, Inc.*, 2003 OK 81, ¶ 8, 78 P.3d 542 ("Legislation that is general in its terms and impacts only matters of procedure is presumed to be applicable to all actions, even those that are pending."); *Okla. Bd. of Med. Licensure & Supervision v. Okla. Bd. of Exam'r in Optometry*, 1995 OK 13, 893 P.2d 498, 499–500 (holding that a statutory amendment authorizing the Medical Board to bring an action for declaratory judgment was procedural and had retrospective application even though the Optometry Board's motion to dismiss was filed *before* the statute took effect); *Qualls v. Farmers Ins. Co., Inc.*, 1981 OK 61, 629 P.2d 1258, 1259 (quoting *Okla. Water Res. Bd. v. Cent. Okla. Master Conservancy Dist., Okla.*, 1968 OK 73, 464 P.2d 748) ("'The general rule that statutes will be given prospective operation only . . . does not apply to statutes affecting procedure.'") (citation omitted).

III. ARGUMENT

Janssen's rolling production is well underway and Janssen has actively conferred with Plaintiff to respond to Plaintiff's questions about Janssen's written responses and objections. The product of that meet and confer process is an understanding that Janssen is limiting its production only in ways to which Plaintiff is amendable. As an example, Plaintiff's Motion asserts that Defendants are imposing unreasonable and unsupported geographic limitations on their responses. Mot. at 6. However, the only documents that Janssen has not produced based on geography are documents that refer to activities that occurred only outside Oklahoma *and* did not affect marketing in Oklahoma, such as out-of-state prescription data and sales representative call-notes. Plaintiff's Motion confirms its agreement to this reasonable approach. *See* Mot. at 7 n.3.

As to Janssen, the Court need not address Plaintiff's request for "cloned discovery"—requests for materials already produced or received in other lawsuits or investigations—at this juncture. Janssen informed Plaintiff that it would produce information referring to nationwide activities that was produced in other litigation. At this time, Janssen is only carving out irrelevant material that is "easily identifiable, do[es] not require a separate review process, and will not prolong the production of the remaining material." Mot. at 10–11. In other words, Janssen is limiting production in ways to which Plaintiff has already stated that it "is amenable." *Id.* at 10. Until Plaintiff points to specific failures on Janssen's part, there does not appear to be a dispute for this Court to resolve as to Plaintiff and Janssen.

While the issue of "cloned discovery" is not ripe for resolution as to Janssen, it is unlikely that the Oklahoma Discovery Code permits it. No Oklahoma court has yet ruled on the issue of cloned discovery under the current version, *see supra* note 1, of Section 3226(B)(1)(a). However, where the text of an Oklahoma statute parallels a federal rule, "federal jurisprudence is instructive." *Payne v. Dewitt*, 1999 OK 93 n.6, 995 P.2d 1088. The current text of Fed. R. Civ. P. 26(b)(1) and

Section 3226(B)(1)(a) are nearly verbatim.[2] More importantly, although the federal rules have undergone frequent revisions, they have described "the scope of party-controlled discovery in terms of matter relevant to the claim or defense of any party" since the 2000 amendment. Fed. R. Civ. P. 26 advisory committee's note to 2000 amendment. Thus, federal decisions interpreting the scope of discovery under Fed. R. Civ. P. 26 are "instructive." *Payne*, 1999 OK 93 n.6.

Numerous federal courts have recognized the impropriety of "cloned" or "piggyback" discovery. *See, e.g., Moore v. Morgan Stanley & Co., Inc.*, No. 07 C 5606, 2008 WL 4681942, at *5 (N.D. Ill. May 30, 2008) ("[J]ust because the information was produced in another lawsuit . . . does not mean that it should be produced in this lawsuit."); *Midwest Gas Servs., Inc. v. Indiana Gas Co.*, No. IP99-0690-C-Y/G, 2000 WL 760700, at *1 (S.D. Ind. Mar. 7, 2000) (observing that cloned discovery "is irrelevant and immaterial unless the fact that particular documents were produced or received by a party is relevant to the subject matter of the instant case" and denying motion to compel documents produced in response to a Civil Investigative Demand from the Department of Justice). Instead, "plaintiffs' counsel must do their own work and request the information they seek directly." *Midwest Gas Servs.*, 2000 WL 760700, at *1.[3]

The State of Oklahoma has itself been denied "cloned discovery" when litigating in federal court. In *Oklahoma, ex rel. Edmondson v. Tyson Foods, Inc.*, the State requested "'documents and

[2] The only difference between the two rules is the inclusion of the phrase "reasonably calculated to lead to the discovery of admissible evidence" in the fourth clause of Section 3226(B)(1)(a).

[3] *See also Drake v. Allergan, Inc.*, No. 2:13-cv-234, 2014 WL 12664971, at *3 (D. Vt. Mar. 19, 2014) (denying motion to compel, stating that "[a]n order which permits plaintiffs to obtain all of the materials furnished in the Department of Justice investigation may result in surrender of documents that are totally irrelevant to the pending litigation"); *King Cty. v. Merrill Lynch & Co., Inc.*, No. C10-1156-RSM, 2011 WL 3438491, at *3 (W.D. Wash. Aug. 5, 2011) (denying motion to compel cloned discovery, noting that "Plaintiff must make proper discovery requests, identifying the specific categories of documents sought, in order to obtain them—and each category must be relevant to its claims and defenses"); *Wollam v. Wright Med. Grp., Inc.*, No. 10-cv-03104-DME-BNB, 2011 WL 1899774, at *2 (D. Colo. May 18, 2011) ("Direct requests allow a court to consider the relevance of the information sought to the specific claims and defenses in the pending case. A request for all discovery in unidentified actions taken worldwide . . . does not allow such review. Discovery is intended to be liberal, but it is not unbounded.").

materials produced to plaintiffs in a similar . . . lawsuit.'" No. 05-CV-329-TCK-SAJ, 2006 WL 2862216, at *1 (N.D. Okla. Oct. 4, 2006). In *Tyson Foods*, the "surface similarities" abounded in the case from which the State sought to clone discovery: "governmental agencies suing poultry integrators, similar defendants, alleged impairment of use of Oklahoma waters, alleged pollution of drinking water, pollution of a watershed, activities by poultry integrators, legal arguments related to the relationship between the poultry integrators and their growers, manner of disposal of poultry waste, allegations of phosphorus and nitrogen poultry waste, and CERCLA, state law nuisance, trespass, and unjust enrichment claims." *Id.* However, the court found that because the two lawsuits involved "separate watersheds, different water bodies, and different poultry farms located on separate watersheds . . . the relevancy of the requested documents is not readily apparent on its face." *Id.*

In denying the State's request, the court observed that the "current Fed. R. Civ. Proc. 26 limits discovery to the claims and defense in the action." *Id.* at *2. The court refused to automatically accept that "similarity to a prior lawsuit" equated to "relevant to a claim or defense in the current proceeding." *Id.* "[T]he two lawsuits involve[d] different watersheds," the defendants "indicated that the expert witnesses in the two cases [would] be different, and the claims by Plaintiffs in [*Tyson Foods* were] broader than in the [previous] lawsuit." *Id.* Here, the differences are even greater. Although the previous opioid cases have "surface similarities" to the present litigation, *id.* at *1, they involve different geographies, different government actors, different doctors, different patient groups, and different insurers. Thus, "the relevancy of the requested documents is not readily apparent on its face." *Id.*

The fact that a communication was exchanged or a document was produced in a separate lawsuit or investigation does not make it relevant to the present action. Plaintiff has the burden to

formulate discovery requests that are tailored to lead to the discovery of admissible evidence in this case. *Id.* at *3. "Whether pleadings in one suit are 'reasonably calculated' to lead to admissible evidence in another suit is far from clear. *In the Court's view, discovery of this type of information typically will not lead to admissible evidence.*" *Id.* at *2 (original emphasis) (citations omitted).

Nevertheless, without waiving its objections, Janssen is producing information referring to nationwide activities that was produced in other litigation, carving out only irrelevant batches that "are easily identifiable, do not require a separate review process, and will not prolong the production of the remaining material." Mot. at 10–11. As such, the Court need not reach the question of whether, as in *Tyson Foods*, unrestricted cloned discovery should similarly be denied.

IV. CONCLUSION

In light of the foregoing and in the absence of any Janssen-specific objections, Plaintiff's Motion simply does not present a dispute that is ripe for resolution as to Janssen. Plaintiff's Motion to Compel should be denied in its entirety.

Dated: March 22, 2018

Respectfully submitted,

By: _____

Benjamin H. Odom, OBA No. 10917
John H. Sparks, OBA No. 15661
ODOM, SPARKS & JONES, PLLC
HiPoint Office Building
2500 McGee Drive Ste. 140
Oklahoma City, OK 73072
Telephone: (405) 701-1863
Facsimile: (405) 310-5394
Email: odomb@odomsparks.com
Email: sparksj@odomsparks.com

Charles C. Lifland
Jennifer D. Cardelús
O'MELVENY & MYERS LLP
400 S. Hope Street
Los Angeles, CA 90071
Telephone: (213) 430-6000
Facsimile: (213) 430-6407
Email: clifland@omm.com
Email: jcardelus@omm.com

Stephen D. Brody
O'MELVENY & MYERS LLP
1625 Eye Street NW
Washington, DC 20006
Telephone: (202) 383-5300
Facsimile: (202) 383-5414
Email: sbrody@omm.com

ATTORNEYS FOR DEFENDANTS

JOHNSON & JOHNSON, JANSSEN PHARMACEUTICALS, INC., JANSSEN PHARMACEUTICA, INC. N/K/A JANSSEN PHARMACEUTICALS, INC., AND ORTHO-MCNEIL-JANSSEN PHARMACEUTICALS, INC. N/K/A JANSSEN PHARMACEUTICALS, INC.

CERTIFICATE OF MAILING

Pursuant to Okla. Stat. tit. 12, § 2005(D), this is to certify on March 22nd, 2018, a true and correct copy of the above and foregoing has been served via the United State Postal Service, First Class postage prepaid, to the following:

Mike Hunter
ATTORNEY GENERAL FOR
THE STATE OF OKLAHOMA
Abby Dillsaver
Ethan Shaner
GENERAL COUNSEL TO
THE ATTORNEY GENERAL
313 NE 21st Street
Oklahoma City, OK 73105
Telephone: (405) 521-3921
Facsimile: (405) 521-6246
Emails: abby.dillsaver@oag.ok.gov
ethan.shaner@oag.ok.gov

Michael Burrage
Reggie Whitten
WHITTEN BURRAGE
Suite 300
512 North Broadway Avenue
Oklahoma City, OK 73102
Telephone: (405) 516-7800
Facsimile: (405) 516-7859
Emails: mburrage@whittenburragelaw.com
rwhitten@whittenburragelaw.com

Bradley Beckworth
Jeffrey Angelovich
Lloyd Nolan Duck, III
Andrew Pate
NIX, PATTERSON & ROACH, LLP
Suite 200
512 North Broadway Avenue
Oklahoma City, OK 73102
Telephone: (405) 516-7800
Facsimile: (405) 516-7859
Emails: bbeckworth@nixlaw.com
jangelovich@npraustin.com
tduck@nixlaw.com
dpate@nixlaw.com

Glenn Coffee
GLENN COFFEE & ASSOCIATES, PLLC
915 North Robinson Avenue
Oklahoma City, OK 73102
Telephone: (405) 601-1616
Email: gcoffee@glenncoffee.com

ATTORNEYS FOR PLAINTIFF

Sanford C. Coats, OBA No. 18268
Cullen D. Sweeney, OBA No. 30269
CROWE & DUNLEVY, P.C.
Braniff Building
Ste. 100
324 North Robinson Avenue
Oklahoma City, OK 73102
Telephone: (405) 235-7700
Facsimile: (405) 272-5269
Email: sandy.coats@crowedunlevy.com
Email: cullen.sweeney@crowedunlevy.com

Of Counsel:

Sheila Birnbaum
Mark S. Cheffo
Hayden A. Coleman
QUINN EMANUEL URQUHART & SULLIVAN, LLP
22nd Floor
51 Madison Avenue
New York, New York 10010
Telephone: (212) 849-7000
Facsimile: (212) 849-7100
Email: sheilabirnbaum@quinnemanuel.com
Email: markcheffo@quinnemanuel.com
Email: haydencoleman@quinnemanuel.com

Patrick J. Fitzgerald
R. Ryan Stoll
SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP
Suite 2700
155 North Wacker Drive
Chicago, Illinois 60606
Telephone: (312) 407-0700
Facsimile: (312) 407-0411
Email: patrick.fitzgerald@skadden.com
Email: ryan.stoll@skadden.com

ATTORNEYS FOR DEFENDANTS PURDUE PHARMA L.P., PURDUE PHARMA INC., AND THE PURDUE FREDERICK COMPANY INC.

Robert G. McCampbell, OBA No. 10390
Travis V. Jett, OBA No. 30601
Ashley E. Quinn, OBA No. 33251
Nicholas ("Nick") V. Merkley, OBA No. 20284
GABLEGOTWALS
One Leadership Square, 15th Fl.
211 North Robinson
Oklahoma City, OK 73102-7255
Telephone: (405) 235-5567
Email: rmccampbell@gablelaw.com
Email: tjett@gablelaw.com
Email: aquinn@gablelaw.com
Email: nmerkley@gablelaw.com

Of Counsel:

Steven A. Reed
Harvey Bartle IV
Jeremy A. Menkowitz
MORGAN, LEWIS & BOCKIUS, LLP
1701 Market Street
Philadelphia, PA 19103-2921
Telephone: (215) 963-5000
Email: steven.reed@morganlewis.com
Email: harvey.bartle@morganlewis.com
Email: jeremy.menkowitz@morganlewis.com

Brian M. Ercole
MORGAN, LEWIS & BOCKIUS, LLP
Suite 5300
200 South Biscayne Boulevard
Miami, FL 33131
Telephone: (305) 415-3416
Email: brian.ercole@morganlewis.com

ATTORNEYS FOR DEFENDANTS CEPHALON, INC., TEVA PHARMACEUTICALS USA, INC., WATSON LABORATORIES, INC., ACTAVIS LLC, AND ACTAVIS PHARMA, INC. F/K/A WATSON PHARMA, INC.

William C. (Bill) Hetherington, Jr.
HETHERINGTON LEGAL SERVICES, PLLC
#A
231 South Peters
Norman, Oklahoma 73069
Telephone: 405-321-8272(O)
Email: hethlaw@cox.net

SPECIAL DISCOVERY MASTER

VIA: ELECTRONIC MAIL ONLY

Benjamin H. Odom

ATTORNEY FOR DEFENDANTS

JOHNSON & JOHNSON, JANSSEN PHARMACEUTICALS, INC., JANSSEN PHARMACEUTICA, INC. N/K/A JANSSEN PHARMACEUTICALS, INC., AND ORTHO-MCNEIL-JANSSEN PHARMACEUTICALS, INC. N/K/A JANSSEN PHARMACEUTICALS, INC.