



IN THE DISTRICT COURT OF CLEVELAND COUNTY
STATE OF OKLAHOMA

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

Plaintiff,)

vs.)

Case No. CJ-2017-816

Judge Thad Balkman

- (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

SEP 05 2018

In the office of the
Court Clerk MARILYN WILLIAMS

ORDER OF SPECIAL DISCOVERY MASTER

NOW, on this third day of September, 2018, the above and entitled matter comes on for ruling by the undersigned having heard argument thereon on August 31, 2018.

Argument was heard regarding defendant group's Motions to Quash production of documents from Pamela Costa, Tim Mullen, Tyler Bradley, Eric Wayman, and Cullen Bryant.

Defendant groups are not objecting and moving to quash the deposition notices themselves, only the document production. All but one of these individuals are past employees and this document production has been requested previously from the employer defendant groups. The pleadings indicate the State attempted to obtain the same information from

defendants over a year ago and have not received complete production, or, they received statements the sales representatives have documents the defendants did not have in their possession. Previous orders by the undersigned have been entered with regard to this documentation.

This documentation is relevant or could potentially lead to relevant evidence regarding the objecting defendant group's opioid sales, training and marketing plans, to include the Purdue 2001 opioid marketing budget plan and the ACTIQ 2003 opioid marketing plan.

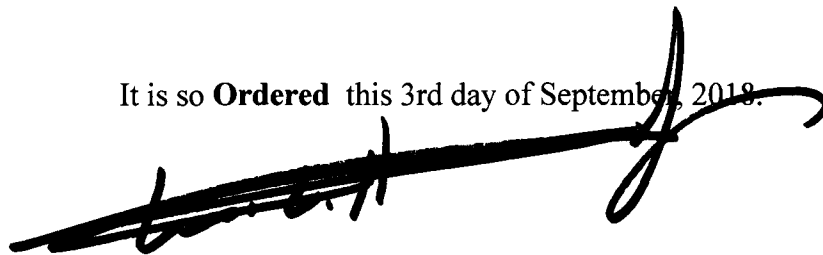
This document production seeks production of documentation these individuals are or have been in the possession of and/or provided to them for purposes of training, sales and marketing of opioid products. The record indicates these are all documents given to these representatives.

Defendant groups offer no proof that the subpoena documents are alleged to be privileged or involve protected information, and with the exception of "communications to and from...", I do not find the specific request overly broad.

The former sales representatives are required to produce the documents they have retained in their possession no less than five calendar days prior to their deposition, and the one employee sales representative must produce documents that this employee has access to by any means in the normal course of his or her business no less than five calendar days prior to the deposition.

These document subpoenas are ORDERED to be complied with, consistent with this order with production in a timely manner ordered as to all training materials, sales call notes and marketing materials. At this time, I find the request for all "communications to and from..." to be overly broad and potentially protected production of documents like tax returns, personnel files and potentially irrelevant non-opioid products. The documents ordered produced are limited to production of records relevant to opioid sales and marketing, training materials and call notes.

It is so **Ordered** this 3rd day of September, 2019.

A large, bold, handwritten signature in black ink, appearing to read 'William C. Hetherington, Jr.', written over the text of the order.

William C. Hetherington, Jr.

Special Discovery Master