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

DEFENDANT WATSON LABORATORIES, INC.'S REPLY IN SUPPORT OF OBJECTIONS TO THE SPECIAL DISCOVERY MASTER'S ORDER ON WATSON'S MOTION TO COMPEL DISCOVERY REGARDING CRIMINAL AND ADMINISTRATIVE PROCEEDINGS

Watson's due process rights under both the United States and Oklahoma Constitutions entitle it to discovery of criminal and administrative proceedings related to improper opioid prescribing by Oklahoma healthcare providers and an Oklahoma City "pill mill." Such information is vital to Watson's ability to fully defend itself against the State's sweeping allegations that it and the other Defendants are each liable for all downstream harm caused by virtually all opioid prescriptions written in Oklahoma, notwithstanding the independent criminal conduct of doctors who wrote those prescriptions.

The State has put those documents and information at issue in this case and there is no basis, statutory or otherwise, to shield them from discovery. Indeed, the State has sought discovery from Defendants related to those same prosecutions and is seeking "criminal justice costs" related to the same proceedings about which Watson seeks discovery. It would be therefore, in the words of Justice Scalia, the "height of injustice" to allow the State to proceed on its sweeping claims but deny Watson discovery of documents and information in the State's possession that unequivocally support Watson's defenses. Civil discovery is intended to be broad and "provide[] for the parties to obtain ***the fullest possible knowledge*** of the issues and facts before trial." *State ex rel. Protective Health Servs. v. Billings Fairchild Ctr., Inc.*, 158 P.3d 484, 489 (Okla. Ct. Civ. App. 2006) (internal citations and quotations omitted) (emphasis added). "A lawsuit is not a contest in concealment, and the discovery process was established so that '***either party may compel the other to disgorge whatever facts he has in his possession.***'" *Cowen v. Hughes*, 1973 OK 11, 509 P.2d 461, 463 (citations omitted) (emphasis added). As demonstrated in Watson's Objections to the Special Discovery Master's October 22, 2018 Order, the Discovery Master erred by denying Watson's Motion to Compel Discovery Regarding Criminal and Administrative Proceedings (the "Motion").

Seeking to avoid producing discovery that it knows will bolster Watson's defenses and undercut its own case, the State raises baseless objections to Watson's discovery. It first claims that all the requested documents and information are "work product" and thus, protected from disclosure. That is not true; the State of Oklahoma discloses the requested documents and information on a daily basis in criminal proceedings, as Oklahoma statutes require. Such material, by definition, is not "work product." The State's position also strains credulity given that it seeks to impose liability on Watson and the other Defendants for the ***exact same opioid prescriptions*** for which it has investigated, prosecuted, and/or disciplined Oklahoma healthcare providers. Courts have repeatedly recognized that where the government chooses to bring parallel criminal and civil proceedings related to the same subject matter, such as civil forfeiture actions, the government subjects itself to broad civil discovery related to the criminal proceedings. Here, the State has made a choice to proceed with this civil case despite the prospect of broad civil discovery. Due process and Oklahoma's discovery rules therefore require that the State produce the requested documents.

The State also contends that Watson waived any argument that this case must be dismissed or summary judgment entered because it did not raise that argument at the motion to dismiss stage or before the Discovery Master. Not so. Watson could not possibly have waived that argument at the motion to dismiss stage; it had no idea then that the State would baselessly refuse ***during discovery*** to provide relevant documents and information. Nor did Watson waive that argument before the Discovery Master, who has no power to either dismiss this case or grant summary judgment. Indeed, it is only ***because*** the Special Master ruled in the way that he did that Watson is entitled to argue ***to this Court*** that dismissal or summary judgment is appropriate

if the Court agrees that the requested documents and information are shielded from disclosure. Watson did not waive anything.

In sum, the State may not sue Watson, demand broad discovery against Watson related to criminal prosecutions, and then seek to impose massive retroactive liability (including punitive damages, monetary penalties and "criminal justice costs") – all while simultaneously refusing to allow Watson access to information that is critical to its defenses. The Discovery Master erred and the State should be ordered to produce the requested documents within 30 days.

I. ARGUMENT

A. The Documents And Information Requested By Watson Are Not Protected Work Product Immune From Discovery.

The State does not dispute that it put the documents and information requested by Watson at issue by raising sweeping allegations regarding every opioid prescription dispensed in the State of Oklahoma over a twenty-two-year period. As such, the State has waived any "law enforcement" privilege or statutory protection by putting "at issue" the documents and information requested by Watson,

In order to avoid disclosure of information that is harmful to its case and helpful to Watson's defenses, however, the State argues that the documents and information requested by Watson are "work product". To be clear, and as noted in Watson's opening brief but ignored by the State, Watson ***does not*** seek discovery of *attorney* work product or *attorney-client* privileged communications. That is, Watson is not seeking discovery of "legal work product of either attorney which is deemed to include legal research or those portions of records, correspondence, reports, or memoranda which are only the opinions, theories, or conclusions of the attorney or the attorney's legal staff." Okla. Stat. tit. 22 § 2002(E)(3). Although the State suggests that

attorneys and their staff prepared all the materials requested by Watson, that is not remotely accurate.

For example, much of what Watson seeks was prepared by law enforcement officers, rather than attorneys. Watson's RFPs seek, among other things, "initiating documents, witness interview notes and transcripts, witness statements, reports, documentary evidence, evidence receipts, video and audio recordings." Because they are not privileged, those are exactly the types of documents that the State is ***required*** by law to turn over in criminal matters:

> a. the names and addresses of witnesses which the state intends to call at trial, together with their relevant, written or recorded statement, if any, or if none, significant summaries of any oral statement,
>
> b. law enforcement reports made in connection with the particular case,
>
> c. any written or recorded statements and the substance of any oral statements made by the accused or made by a codefendant,
>
> d. any reports or statements made by experts in connection with the particular case, including results of physical or mental examinations and of scientific tests, experiments, or comparisons,
>
> e. any books, papers, documents, photographs, tangible objects, buildings or places which the prosecuting attorney intends to use in the hearing or trial or which were obtained from or belong to the accused,
>
> f. any record of prior criminal convictions of the defendant, or of any codefendant, and
>
> g. Oklahoma State Bureau of Investigation (OSBI) rap sheet/records check on any witness listed by the state or the defense as a witness who will testify at trial, as well as any convictions of any witness revealed through additional record checks if the defense has furnished social security numbers or date of birth for their witnesses, except OSBI rap sheet/record checks shall not provide date of birth, social security number, home phone number or address.

Okla. Stat. tit. 22 § 2002(A). Moreover, the State is required to produce any "evidence favorable to the defendant if such evidence is material to either guilt or punishment." *Id.* By definition, if materials are not produced by attorneys or their staff and if the State is obligated to produce such documents and information, they cannot be protected from disclosure as "work product" in a civil case. Further, the other documents sought by Watson, such as Prescription Monitoring Program records, hearing transcripts, grand jury transcripts, pleadings, motions, orders, and judgments, concerning any disciplinary, civil, or criminal proceedings, are in no way "work product," and the State does not even argue otherwise.

Even if the State could claim that some of the information requested by Watson is "work product" (which it cannot), the State has also failed to properly raise that privilege. The Oklahoma Discovery Code requires the State to produce a privilege log that enables the other parties to assess the applicability of its asserted privilege with respect to each document or piece of information for which it claims privilege protection. *See* Okla. Stat. tit. 12 § 3226(B)(5)(a) ("When a party withholds information otherwise discoverable under the Oklahoma Discovery Code by claiming that it is privileged or subject to protection as trial preparation material, the party shall make the claim expressly and shall describe the nature of the documents, communications or things not produced or disclosed in a manner that, without revealing information itself privileged or protected, will enable other parties to assess the applicability of the privilege protection). The State has not produced any such log and has therefore also failed to properly assert that privilege.

The *Fritz* case relied upon by the State is inapposite. That case involved the post-conviction review of a murder conviction and whether the State's failure to produce a report involving a co-defendant's prior violent behavior with someone other than the murder victim

was material that should have been produced pursuant to *Brady v. Maryland*, 373 U.S. (1963). *Fritz v. State*, 811 P.2d 1353, 1357-60 (Okla. Ct. Crim. Appeals 1991). The *Fritz* court found that the document was not *Brady* material and was not required to be turned over. *Id.* at 1358. *Fritz* is therefore completely unlike this case, where Watson seeks discovery in the State's possession about criminal and improper conduct involving ***the exact same prescriptions*** for which the State is seeking to hold Watson entirely liable.

Also, *Fritz*, unlike this matter, was a criminal case. It is well-established that while a criminal defendant is entitled to very limited discovery, in a civil case, by contrast, a party is entitled to broad discovery of any information if it is "reasonably calculated to lead to the discovery of admissible evidence." *Degen v. United States,* 517 U.S. 820, 825-26 (1996); *see also* Okla. Stat. tit. 12 § 3226(B)(1)(a) ("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."). There can be no dispute that the discovery sought by Watson is relevant and reasonably calculated to lead to the discovery of admissible evidence. Even the State does not claim otherwise.

Indeed, the State has sought, and the Discovery Master has compelled, Defendants to produce wide-ranging ***nationwide*** discovery in their possession on ***all*** opioid-related cases, including investigations and prosecutions. The State's proportionality and burden objections therefore ring hollow. In its first document requests the State sought, among other things:

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 Opiod Cases."

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 Opioids Cases."

See the Teva Defendants' Responses and Objections to the State's First Set of Requests for Production of Documents, attached as Exhibit A.[1]

Watson, and the other Defendants, objected to those requests for, among other reasons, the fact that the nationwide geographic scope and time limit (since 1996) was not proportional and unduly burdensome. Argument was heard by the Discovery Master on March 29, 2018 and he issued his order on April 4, 2018. In that Order, the Discovery Master overruled Defendants' objections to geographic scope and time period (with the exception of limiting the Teva Defendant's relevant time period to 1999 to the present) and sustained the State's motion to compel on Requests for Production Nos. 1 and 2, specifically finding as to Request for Production No. 1 that the Defendants' "production shall include any information about public, nonpublic, or confidential government investigations or regulatory actions pertaining to any Defendants that have been produced in any other case." April 4, 2018 Order, attached as Exhibit B. The State therefore cannot be heard to complain about proportionality or burden when it sought, and the Discovery Master compelled, Watson and the other Defendants to produce all documents related to any other opioid-related case, nationwide, since 1996 (1999 for the Teva Defendants), including those related to confidential and non-public investigations. If the protective orders are sufficient to protect those documents, they are more than sufficient to protect the documents and information requested by Watson.

[1] The State also has issued a corporate deposition topic requesting that Watson produce a witness to testify about "The amount of revenue and profits earned by You attributable to and/or derived from the prescription of opioids by any Oklahoma doctor criminally investigated, charged, indicted, and/or prosecuted for prescribing practices related to opioids. For purposes of this topic, "prosecution" includes any administrative proceeding." *See* Exhibit C.

Nor is there, as the State contends, a basis to shield the requested documents and information from discovery because they involve on-going criminal proceedings. As an initial matter, as explained above, the State has sought, and the Discovery Master has compelled, the Defendants to produce documents related to opioid cases up to "the present." *See* Exh. B at 2. There is no basis to relieve the State of that same obligation. Further, where, as here, there are parallel related criminal and civil proceedings, such as civil forfeiture actions, courts and the government have routinely recognized that the broad civil discovery rules allow a civil defendant access to investigation documents and information in the government's possession. For example, in *United States v. All Funds on Deposit in Suntrust Account Number XXXXXXXX8359*, 456 F. Supp. 2d 64, 66 (D.D.C. 2006), the court granted the government's request for a stay of a parallel civil forfeiture action and recognized that:

> If the civil case continued the Government ***would be subject to the breadth of civil discovery . . .. Such discovery would include any existing confidential informants*** and/or interfere with the Government's ability to obtain confidential information from others.

Id. Likewise, the court in *United States v. $160,280.00 in U.S. Currency,* 108 F. Supp. 3d 324 (S.D.N.Y. 2015), reached the same conclusion, finding a stay of the civil forfeiture proceeding was warranted because, among other things, civil discovery would require "the Government in this civil case to answer interrogatories concerning facts related to the criminal investigation or produce testimonial declarations from officers who conducted the investigation of [defendant's] home . . ." *Id.* at 326; *see also Creative Consumer Concepts, Inc. v. Kreisler*, 563 F.3d 1070, 1080 (10th Cir. 2009) ("A district court may also stay a civil proceeding in deference to a parallel criminal matter for other reasons, such as ***to prevent either party from taking advantage of broader civil discovery rights*** . . .") (emphasis added).

So too here. By seeking to impose sweeping retroactive civil liability on Watson for all costs, including criminal justice costs and punitive damages, related to opioid prescriptions for which it has investigated, prosecuted, or disciplined healthcare providers, the State has put at issue and made relevant to this case (and, therefore, subject to discovery) the documents and information related to pending and resolved criminal and administrative proceedings against Oklahoma healthcare providers for opioid prescribing. Those documents and information are critical to Watson's defenses and there is no basis for the State to refuse to disclose them. This Court should order the State to do so.

B. Watson Did Not Waive Anything.

A defendant's constitutional right to mount a full defense to government action is so paramount that if the government successfully invokes privilege and that "privilege ***deprives the defendant of information*** that would otherwise give the defendant a valid defense to the claim, then the court may grant summary judgment to the defendant." *Mohamed v. Jeppesen Dataplan, Inc.*, 614 F.3d 1070, 1083 (9th Cir. 2010) (collecting cases). Although that has generally applied in the context of state secrets, it would apply with equal force here if the Court agrees with the State that public policy or statutory provisions preclude the disclosure of the documents and information requested by Watson. Indeed, Oklahoma's Rules of Evidence similarly provide for the dismissal of an action if, as the State asks the Court to do here, the Court sustains a finding of governmental privilege and thereby deprives Watson of "material evidence." Okla. Stat. tit. 12 § 2509(C) ("If a claim of governmental privilege is sustained and it appears that a party is thereby deprived of material evidence, the court shall make any further orders the interests of justice require, including striking the testimony of a witness, declaring a mistrial, finding upon an issue

as to which the evidence is relevant or ***dismissing the action***.") (emphasis added).[2]

In response to Watson's alternative argument that this case should be dismissed or summary judgement should be granted if the Court agrees that the documents and information requested by Watson are protected from disclosure by privilege or otherwise, the State first makes the wildly unsupported contention that Watson waived that argument at the pleading stage. That is preposterous. At the pleading stage, Watson was only required to raise or assert defenses to the State's Petition, *see* 12 O.S. § 2012(B), and cannot be expected to anticipate the State's stonewall tactics during discovery. Only certain defenses are waived if not raised at the pleading stage, *see id.* § 2012(F), and none of those involves a challenge to the State's assertion of privilege ***during discovery*** that would vitiate Watson's defenses. Indeed, in *General Dynamics v. United States,* the action was dismissed on state secrets grounds ***after*** the government asserted the state secrets privilege to discovery related to the one of the defendant's defenses. 563 U.S. 478, 483 (2011). This case presents the same circumstances. The State is asserting privilege ***in response*** to Watson's RFPs to obtain discovery to support its properly raised defenses. That is no basis to find that Watson waived its argument that the case should be dismissed or summary judgment granted because it did not preemptively raise it at the pleading stage.

Next, the State claims that Watson waived its request for dismissal or summary judgment because it did not raise it before the Special Discovery Master. But the Special Discovery Master's powers are limited to discovery matters; he has no power to dismiss or grant summary judgment. *See* Okla. Stat. tit. 12 § 3225.1; January 29, 2018 Order Appointing Special

[2] Oklahoma's Rules of Evidence also prohibit the creation of any "governmental privilege . . . except as created by the Constitution of statutes of this state." Okla. Stat. tit. 12 § 2509(B).

Discovery Master, attached as Exhibit D. That power resides solely with this Court. It was not until ***after*** the Discovery Master issued his October 22, 2018 Order denying Watson's Motion that the dismissal argument became ripe for adjudication ***by this Court***. There was no waiver.

Further, the Supreme Court's decision in *General Dynamics* is worth repeating, given what the State is asking this Court to do. As Justice Scalia wrote:

> It seems to us unrealistic to separate . . . the claim from the defense, and to allow the former to proceed while the latter is barred. It is claims and defenses *together* that establish the justification, or lack of justification, for judicial relief; and ***when public policy precludes judicial intervention for the one it should preclude judicial intervention for the other as well.*** If, in *Totten* [*v. United States*, 92 U.S. 105 (1875)], it had been the Government seeking return of funds that the estate claimed had been received in payment for espionage activities, ***it would have been the height of injustice to deny the defense because of the Government's invocation of state-secret protection, but to maintain jurisdiction over the Government's claim and award it judgment.***

Id. (emphasis added). The State of Oklahoma is attempting to hold a defendant responsible for every opioid dispensed in Oklahoma – whether that defendant produced that opioid or not – yet at the same time is asking this Court to deny Watson discovery of indisputably relevant material. Watson is entitled to discovery so that it can ***fully*** defend this case. A partial defense is not enough. This Court should not allow the State to work such an injustice by refusing to turn over material in its possession that is critical to Watson's valid defenses.

II. CONCLUSION

In sum, due process and Oklahoma's discovery rules entitle Watson to discovery of documents and information in the State's possession related to Oklahoma healthcare providers' improper prescribing of opioids. This Court should therefore reconsider the order of the Discovery Master and compel the production of complete, non-attorney-client privileged files from all of its relevant databases so that Watson may fairly defend this case. In the alternative, if

the Court agrees with the Discovery Master, it should dismiss this case or grant summary judgment in favor of Watson. It would be the "height of injustice" to do otherwise.

Dated: November 27, 2018

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was emailed this 27th day of November, 2018, to the following:

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EXHIBIT A

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,

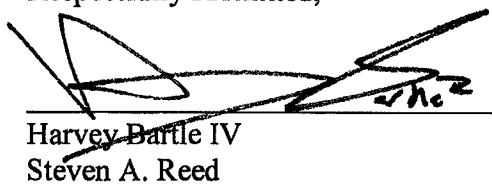
By: 

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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,	)	**Case No. CJ-2017-816**
vs.	)	**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
APR 04 2018
In the office of the
Court Clerk MARILYN WILLIAMS

ORDER OF SPECIAL DISCOVERY MASTER ON STATE'S FIRST MOTION TO COMPEL

NOW on this 4th day of April, 2018, the above and entitled matter comes on for determination on State's first motion to compel. Having reviewed State's motion to compel, various Defendants' objections thereto, and hearing with argument having been held on March 29, 2018, the following **Orders** are entered:

1. Purdue's motion to strike is overruled.
2. It is the undersigned's understanding and belief that the scope of this motion to compel is limited to the State's requests for production (RFP)

and any objected-to interrogatory to which an Order responsive to a specific RFP would determine;

3. The likely relevant time period for discovery in this case is found to be from May 1, 1996 to present, with Teva/Cephalon marketing time period beginning in 1999. Purdue's and Teva Defendants (to include the Acquired Actavis Entities) specific objections to Relevant Time Periods is overruled. The State has stipulated and agreed it will acknowledge and recognize as the Relevant Time Period any other Defendants' known start marketing date that may be later than May 1, 1996.
4. Various Defendants' argument attempting to limit the scope of discovery based upon statutes of limitation is overruled.
5. Purdue's objection/attempt to limit production relevant only to OxyContin or as to any Defendants' attempt to limit production to documents responsive only to FDA requests is overruled.
6. Following the date of this Order, all parties shall specifically identify any production item by its best descriptive title in Order to preserve an objection to production. Failure to do so, may result in summary denial of an objection.
7. The undersigned recognizes the discovery burden unique to this case and encourages the parties to further develop the "rolling basis" for production process by "meet and confer" in Order to lessen the burden and still employ an efficient discovery process that complies with discovery deadlines.

Requests For Production

RFP No. 1 – State's motion to compel is sustained to the extent production shall include any information about public, nonpublic or confidential governmental investigations or regulatory actions pertaining to any Defendants that have been produced previously in any other case;
RFP No. 2 – State's motion to compel is sustained with objections thereto overruled;
RFP No. 3 – State's motion to compel is sustained with objections thereto overruled;
RFP No. 4 – State's motion to compel is sustained with objections thereto overruled;
RFP No. 5 – State's motion to compel is sustained with objections thereto overruled;

RFP No. 6 – State's motion to compel is sustained with objections thereto overruled, except such production need not include any preliminary drafts of written materials;
RFP No. 7 – State's motion to compel is sustained with objections thereto overruled;
RFP No. 8 – State's motion to compel is sustained with all Defendants Ordered to produce any documentation evidence known to them supporting, promoting or seeking to "influence" the marketing of unbranded advertisements. Such production need not include any preliminary drafts;
RFP No. 9 – State's motion to compel is sustained with objections thereto overruled;
RFP No. 10 – State's motion to compel is sustained with objections thereto overruled;
RFP No. 11 – State's motion to compel is sustained with objections thereto overruled;
RFP No. 12 – State's motion to compel is sustained with objections thereto overruled;
RFP No. 13 – State's motion to compel is sustained with objections thereto overruled;
RFP No. 14 – State's motion to compel is sustained with objections thereto overruled;
RFP No. 15 – State's motion to compel is sustained with objections thereto overruled;
RFP No. 16 – State's motion to compel is sustained to the extent that all Defendants are Ordered to provide any documentation related to compensation or incentive plans for any sales representatives and/or sales managers, contractors or third-party sales representatives in Oklahoma responsible for the sale of opioids. The scope of this Order does not include any other personal, sensitive and confidential information that is not related to or relevant to incentive sales plans;
RFP No. 17 – State's motion to compel is sustained with objections thereto overruled;
RFP No. 18 – State's motion to compel is sustained with objections thereto overruled;
RFP No. 19 – State's motion to compel is sustained to the extent that Defendants are Ordered to produce call notes, field contact reports, medical services correspondence, if any, with Oklahoma health care professionals and pharmacies, all other communications with Oklahoma health care professionals and pharmacies involving medical liaisons and managed-care account executives. Purdue shall produce a report of Oklahoma prescribers

who are identified as part of Purdue's "Abuse and Diversion Detection Program" (ADD) with notations as to those placed on the "no call" or "region zero" list. Purdue is Ordered to produce documents from the "ADD program" files of Oklahoma prescribers on the "ADD list" and documents from the Order Monitoring System Program, MedWatch reports, Clinical Supply Product Complaint reports and any product complaint reports related to Purdue marketed opioids.

RFP No. 20 – State's motion to compel is sustained with objections thereto overruled;

RFP No. 21 – State's motion to compel is sustained to the extent that all Defendants are Ordered to produce all documents concerning "CME's" sponsored by any Defendant in whole or in part related to opioids and/or pain treatment held in Oklahoma. Production shall include a list of promotional speaker programs, product theaters, and other promotional programs related to any marketed opioids or disease awareness to include all attendee and presenter lists, dates and locations for events, final training and presentation materials for any such CMEs put on, sponsored or promoted by any Defendant herein;

RFP No. 22 – State's motion to compel is sustained with objections thereto overruled;

RFP No. 23 – State's motion to compel is sustained to the extent that all Defendants are Ordered to produce all documents (not limited to a bibliography), if any, concerning all opioid research conducted, commissioned, sponsored, funded or promoted by any Defendant. Purdue shall also and in addition to, produce the "New Drug Application" files regarding the original formulation of OxyContin and the abuse-deterrent reformulation of OxyContin which contain documents that analyze or discuss risks and benefits associated with those particular medications. This Order also encompasses an Order to produce all documents purporting to show any opioids to be addictive, highly addictive or addiction occurs in greater than 1% of patients being treated with opioids; nonaddictive, virtually nonaddictive or addiction occurs in less than 1% of patients being treated with opioids;

RFP No. 24 – State's motion to compel is sustained to the extent that all Defendants shall produce all internal communications and communications between them and any third parties concerning research, studies, Journal articles, and/or clinical trials regarding opioids and/or pain treatment. Such production need not include preliminary drafts of such communications;

RFP No. 25 – State's motion to compel is overruled with a finding that this RFP is covered within the scope of the Order in RFP No. 23;

RFP No. 26 – State's motion to compel is overruled with the finding that this RFP is covered within the scope of the Order in RFP No.23;
RFP No. 27 – State's motion to compel is sustained to the extent that this RFP is not covered in RFP No. 19 as it relates to Purdue and OxyContin abuse and diversion programs;
RFP No. 28 - State's motion to compel is sustained with objections thereto overruled.

Entered this 4th day of April, 2018.

William C. Hetherington, Jr.
Special Discovery Master

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.	)	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.,	)	Special Master: William Hetherington
Defendants.	)	

AMENDED NOTICE FOR 3230(C)(5) VIDEOTAPED DEPOSITION OF CORPORATE REPRESENTATIVE(S) OF TEVA/CEPHAPLON DEFENDANTS

TO:

VIA *email*

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Travis J. Jett, OBA No. 30601
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VIA *email*

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COUNSEL FOR THE TEVA/CEPHALON DEFENDANTS

Please take notice that, on the date and at the time indicated below, Plaintiff will take the deposition(s) upon oral examination of the corporate representative(s) of Defendants, TEVA PHARMACEUTICALS USA, INC.; CEPHALON, INC.; WATSON LABORATORIES, INC.; ACTAVIS LLC; ACTAVIS PHARMA, INC. (collectively, the "Teva/Cephalon Defendants") in accordance with 12 O.S. §3230(C)(5). The Teva/Cephalon Defendants shall designate one or more officers, directors, managing agents, or other persons who consent to testify on the Teva/Cephalon Defendants' behalf regarding the subject matters identified in Appendix A.

The oral and video deposition(s) will occur as follows:

DATE	**TIME**	**LOCATION**
September 27, 2018	**9:00 a.m.**	**511 Couch Drive** **Suite 100** **Oklahoma City, Oklahoma 73102**

Said depositions are to be used as evidence in the trial of the above cause, the same to be taken before a qualified reporter and shall be recorded by videotape. Said depositions when so taken and returned according to law may be used as evidence in the trial of this cause and the taking of the same will be adjourned and continue from day-to-day until completed, at the same place until it is completed.

PLEASE TAKE FURTHER NOTICE that each such officer, agent or other person produced by the Teva/Cephalon Defendants to so testify under 12 O.S. §3230(C)(5) has an affirmative duty to have first reviewed all documents, reports, and other matters known or reasonably available to the Teva/Cephalon Defendants, along with all potential witnesses known or reasonable available to the Teva/Cephalon Defendant in order to provide informed binding answers at the deposition(s).

Dated: August 8, 2018

/s/ Michael Burrage

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above and foregoing was emailed on August 8, 2018 to:

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/s/ Michael Burrage
Michael Burrage

Appendix A

The matters on which examination is requested are itemized below. The Teva/Cephalon Defendants must designate persons to testify as to each subject of testimony. This designation must be delivered to Plaintiff prior to or at the commencement of the taking of the deposition. *See* 12 O.S. §3230(C)(5).

1. The amount of revenue and profits earned by You attributable to and/or derived from the prescription of opioids by any Oklahoma doctor criminally investigated, charged, indicted, and/or prosecuted for prescribing practices related to opioids. For purposes of this topic, "prosecution" includes any administrative proceeding.

EXHIBIT D

IN THE DISTRICT COURT OF CLEVELAND COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA } S.S.
CLEVELAND COUNTY }

FILED

JAN 29 2018

In the office of the
Court Clerk MARILYN WILLIAMS

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

Plaintiff,

v.

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

Defendants.

Case No. CJ-2017-816

Honorable Thad Balkman

ORDER APPOINTING DISCOVERY MASTER

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

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

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

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

IT IS THEREFORE ORDERED THAT:

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

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

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

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

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

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

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

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

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

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

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

10. The Discovery Master shall be paid $315 per hour for work done pursuant to this Order, and shall be reimbursed for all reasonable expenses incurred. The Discovery Master shall bill Defendants on a monthly basis for fees and disbursements, and those bills shall be promptly paid by Defendants, pursuant to the allocation of costs as determined among Defendants. All parties shall copy on and/or receive a copy of all communications by and between any other party and the Discovery Master, including communications containing or discussing the bills, invoices and/or compensation of the Discovery Master.

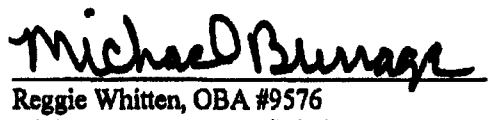
11. This Order shall become effective immediately upon the later of (i) the filing of this Order, or (ii) the filing of the Discovery Master's oath, and shall remain in effect until further order of the Court.

IT IS SO ORDERED.

S/Thad Balkman

The Honorable Thad Balkman
Judge of the District Court

APPROVED AS TO FORM:



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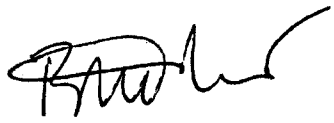

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