



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;)
 (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
Judge Thad Balkman

Special Master:
William Hetherington

STATE OF OKLAHOMA } S.S.
CLEVELAND COUNTY }
FILED

OCT 04 2018

In the office of the
Court Clerk MARILYN WILLIAMS

THE STATE'S MOTION TO RECONSIDER APRIL 25, 2018, ORDER

Based on the evidence uncovered to date, Plaintiff moves the Court to reconsider its Order dated April 25, 2018 ("April 25 Order") (attached as Exhibit 1), which limits the temporal scope of discovery for certain categories of production. The April 25 Order revised and narrowed an earlier Order on the same issues dated April 4, 2018 ("April 4 Order") (Attached as Exhibit 2). The State respectfully requests the Court reinstate the April 4 Order, which acknowledged the

Relevant Time Period for discovery of all categories to begin on May 1, 1996 (1999 for Teva/Cephalon).¹ The April 4 Order comports with the factual realities of this case and is necessary in light of the documents the State has identified to date. Based on the evidence the State has uncovered in recent months, it is clear that the April 25 Order is too narrow in scope. Thus, the State requests that the Court reconsider this time-period issue and reinstate its original April 4 Order.

A trial court has “complete control to modify or alter at any time before judgment” its intermediate orders in a case. *LCR, Inc. v Linwood Props.*, 1996 OK 73, ¶ 11, 918 P.2d 1388, 1393. The Court should exercise this power here.

Since issuing the April 25 Order, this Court has seen evidence and heard argument establishing the following:

- Defendants conspired in a tangled web of deception to drown the State in a never-ending supply of deadly opioids.
- Defendants conspired to grow the market for opioid drugs as a whole.
- Defendants not only sell opioids, they sell the active pharmaceutical ingredients *to each other* through companies like J&J subsidiaries Naramco and Tasmanian Alkaloids.
- Defendants obscured and downplayed the addictiveness of opioids with both branded and unbranded marketing.
- Defendants’ goal was to *convince* doctors to *aggressively* prescribe opioids to an ever expanding class of patients.
- Defendants doubled down on their generic sales (through secret companies like Rhodes Pharmaceutical) when their brand-name drugs came under attack.

However, so much of the information demonstrating the sheer magnitude of Defendants’ schemes exists in the time period immediately following 1996—the time marking the beginnings of the opioid epidemic and a time when Defendants were highly active in formulating, circulating, and

¹ The Court also ordered that, for Defendants with “start marketing dates” falling after May 1, 1996, the Relevant Time Period would be that start-marketing date to present. April 4 Order at 2.

implementing their strategies to deceive the public and inflate its appetite for dangerous narcotics.

Consider the documents the State has identified to date:

- [REDACTED]
- [REDACTED]
- [REDACTED]

These documents, which were produced in Purdue’s Kentucky litigation, are just a few examples of highly relevant documents showing the critical nature of the initial years of Defendants’ scheme to aggressively expand and control the market for narcotics. It took a motion to compel and a motion to show cause for the State to get these documents—despite the fact that these documents had already been produced in prior litigation. These documents and the events and strategies they mention are too important for the State to hope that other parties in other litigation were lucky enough to receive them. The State needs an order that requires documents like this to be produced regardless of whether they were previously produced in prior cases.

However, the current Order does not require Defendants to produce these documents out right. For example, in the [REDACTED]; yet the current Order says, with respect to State’s RFP No. 6, “production shall be ordered of all branded or un-

branded advertisements . . . [for] Purdue beginning in 2004 and thereafter and other Defendants' beginning with the relevant marketing time period." [REDACTED] April 25 Order at 7. Thus, according to the April 25 Order, this [REDACTED], which was [REDACTED] [REDACTED]—a critical part of Defendants' deception campaign and, thus the State's case—would be beyond the scope of the April 25 Order.² Moreover, given what we know now about Purdue's generic-maker Rhodes Pharmaceutical and the conspiracy between Defendants regarding the production and marketing of opioids generally, the similar limitation on RFP No. 14 (which asks for communications between the Defendants and other opioid manufacturers, distributors, etc.) is also unsuitable. The State has uncovered a link between these Defendants and their strategy in marketing these drugs, and the State should be allowed to discover how far that conspiracy goes.

In short, while the Court may have found this discovery "overly burdensome" in its prior proportionality review, the calculus has changed. The State has now uncovered evidence that makes the time period between 2006 and 1996 highly relevant and incredibly important to uncovering the whole story of Defendants' plot to get the people of Oklahoma hooked on their dangerous drugs.

Moreover, given Defendants' employees' peculiarly short memories, the State also needs the documents to elicit the truth in its depositions through impeachment. Accordingly, the State requests the Court reinstate its April 4 Order, which properly identified 1996 to present (and beginning marketing dates to present) as the Relevant Time Period for the purposes of discovery.

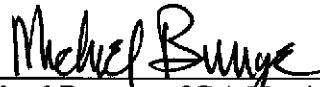
² This argument applies with equal force to the part of the Order discussing RFP Nos. 10 and 11, placing the same 2004 limit on "documentation reflecting the amount spent by You on advertising and marketing related to branded or unbranded opioid advertising." *See* April 25 Order at 7.

Perhaps Dr. Sackler said it best: [REDACTED]

[REDACTED]

The State agrees. A plague that had been dormant for almost a century was suddenly unleashed again, like a lion out of a cage. The State is trying to abate this crisis. But before it can do so, the State needs to know how Defendants did it and why. Only the documents from that time can tell that full story. Accordingly, Defendants should be ordered to produce them.

Dated: October 4, 2018



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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above and foregoing was emailed on October 4, 2018 to:

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EXHIBIT 1



IN THE DISTRICT COURT OF CLEVELAND COUNTY
STATE OF OKLAHOMA

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

Plaintiff,)

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Case No. CJ-2017-816

Judge Thad Balkman

- (1) PURDUE PHARMA L.P.;)
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Defendants.)

STATE OF OKLAHOMA } S.S.
CLEVELAND COUNTY }

FILED

APR 25 2018

In the office of the
Court Clerk MARILYN WILLIAMS

ORDERS OF SPECIAL DISCOVERY MASTER ON APRIL 19th 2018 MOTION
REQUESTS

On April 19, 2018, the above and entitled matter was heard before the undersigned on the parties' various motions, objections and requests for relief. The undersigned Special Discovery Master having reviewed the pleadings, heard oral arguments and being fully advised in the premises finds as follows:

Purdue's Motion To Compel Production Of Documents

Purdue seeks to compel production of documents responsive to RFPs requested in its first set of requests for production. Purdue Pharma L.P. seeks production of documents numbered two, four, six, seven, eight, and nine. Purdue Fredrick Co. seeks production of documents responsive to requests number one, five, six and seven. Plaintiff, State of Oklahoma, ex. rel. Attorney General of Oklahoma (State) has filed its objection thereto and request to strike as moot.

- A. State's objection and motion to strike as moot is **overruled**. Specific finding is made that under the claims made in this petition, details of medical necessity and reimbursable claims under the Oklahoma Medicaid system, State's claims review and reimbursement process and the identity of State personnel with knowledge about efforts to prevent opioid abuse and diversion are all relevant or potentially relevant areas of inquiry in this case. State argues the only documents that will be withheld or objected to are privileged and confidential information. Therefore, both Purdue Pharma L.P. and Purdue Frederick Company's motion to compel are **sustained** to be produced as soon as practically possible under the agreed "rolling production" process. The undersigned acknowledges State's argument that its objections have been withdrawn. Nevertheless, production is **ordered** consistent with findings made herein:

Purdue Pharma L.P.

1. RFP No. 2 – State's objection withdrawn during meet and confer, motion to compel **sustained**;
2. RFP No. 4 – State's objection withdrawn during meet and confer, motion to compel **sustained**;
3. RFP No. 6 – State's objection withdrawn during meet and confer, motion to compel **sustained**;
4. RFP No. 7 – State's objection withdrawn during meet and confer, motion to compel **sustained**;
5. RFP No. 8 – State's objection withdrawn during meet and confer, motion to compel **sustained**;
6. RFP No. 9 - State's objection withdrawn during meet and confer, motion to compel **sustained**.

Purdue Frederick Co.

1. RFP No. 1 – State’s objection withdrawn during meet and confer, motion to compel **sustained**;
2. RFP No. 5 – State’s objection withdrawn during meet and confer, motion to compel **sustained**;
3. RFP No. 6 – State’s objection withdrawn during meet and confer, motion to compel **sustained**;
4. RFP No. 7 – State’s objection withdrawn during meet and confer, motion to compel **sustained**.

State’s Second Motion To Compel

State has served notice for corporate designee depositions as described in exhibits one through six of State’s motion:

1. The open letter published by or on behalf of the Purdue Defendants in the New York Times on Thursday, December 14, 2017, entitled, "We manufacture prescription opioids. How could we not help fight the prescription and illicit opioid abuse crisis?" ("Open letter"), including but not limited to all actions taken by Purdue Defendants in support of the recommendations and initiatives identified in the Open Letter, and the reasons the Open Letter was written and published.
2. The Purdue Defendants’ decision to discontinue marketing or promoting opioids to prescribers.
3. The J&J Defendants’ past and present relationship with Tasmanian Alkaloids, the corporate structure and management of Tasmanian Alkaloids during its affiliation with any J&J Defendants, and the terms of any asset purchase agreement, acquisition agreement, and/or purchase and sale agreement by and between any J&J Defendants and Tasmanian Alkaloids, including terms related to the assumption of liability.
- 4.-6. All actions available or necessary to address, fight, update and/or reverse the opioid epidemic. (One Notice For Each Defendant Group)

To these notices, the three Defendant groups have filed requests for protective orders and to quash the deposition notices, to which State has responded. The following Orders are entered with regard thereto:

1. Open Letter (Purdue)

State has described with reasonable particularity two areas of inquiry with regard to this "Open Letter": 1. All actions taken by the Purdue Defendants in support of the recommendations and initiatives identified in the Open Letter; 2. The reasons the Open Letter was written and published. State shall be limited to these two areas of inquiry to include any follow-up inquiry that may become reasonably necessary to identify the exact actions taken, who took them, when and where. To this extent, State's motion to compel is **sustained** and Defendants' opposition thereto and request to quash the notice is **overruled**.

2. Purdue Defendants' decision to discontinue marketing or promoting opioids to prescribers.

State's motion to compel is **sustained** and Defendants' request to quash the notice on this topic is **overruled** as a fact witness could produce likely relevant evidence as it relates to decisions to discontinue marketing and promoting opioids.

3. J&J Defendants/Tasmanian Alkaloids

Finding is entered that State has pled with reasonable particularity the relationship between J&J Defendants and Tasmanian Alkaloids (Not a party to this litigation) during a portion of the relevant time period in this litigation. As a former subsidiary of Johnson & Johnson, Tasmanian Alkaloids manufactured the poppy-based opiate ingredient used in many of the United States marketed and distributed opioids. The J&J Defendants had a direct financial interest in the sale of the opioid products generally, not just limited to their own branded opioids. That places J&J Defendants in a position of having a financial interest in opioids generally and possible motive relevant to issues raised in this case.

State's motion to compel is **sustained** and Defendants' request to quash the notice on this topic is **overruled**.

4-6. Abatement Actions

State gives notice to each Defendant group to depose a corporate designee regarding fact testimony similar to the line of inquiry requested of Purdue Defendants in item notice No. 1. The added fact with regard to Purdue Defendants' being the "Open Letter". These notices are necessarily limited to fact testimony and as argument indicated, cannot include opinion testimony that seeks to elicit a legal opinion on a primary issue a finder of fact may have to determine and that is an action plan, factually and legally, fashioned to abate the opioid crisis. Certain Defendants through negotiations in other cases have agreed to disclose factual efforts that are currently under way and actions planned and expected to take place in the future to seek to abate the opioid crisis. Settlement negotiations are privileged, and there is a strong public policy disfavoring intrusion into confidential and privileged settlement discussions. 12 O.S. § 2408; Fed. R. Evid. 408; *Goodyear Tire & Rubber Co. v. Chiles Power Supply, Inc.*, 332 F.3d 976, 980 (6th Cir. 2003). Further, expert witnesses do not have to be determined and disclosed until the deadline of September 14, 2018, with expert depositions to be completed by January 25, 2019.

Therefore, each Defendant groups' request for a Protective Order and to Quash the notice as drafted is **sustained** and should State so desire, new deposition notices to issue to fact witnesses to be designated by each Defendant group for inquiry by State into factual efforts that are currently under way and actions planned and expected to take place in the future which seek to address, fight or abate the opioid crisis.

April 4, 2018 Order of Special Discovery Master On State's First Motion to Compel.

Defendant groups have filed objections to and requests to strike or modify the above referred-to discovery order. Argument was heard and considered at the April 19, 2008 hearing and the following orders are entered:

1. Review of the record indicates State did not move to compel RFP No. 17 and objections to and requests to strike any findings made by the undersigned with regard to RFP No. 17 are **sustained**. Further, the undersigned recognizes that certain Defendants have already produced and there are agreements for future production relevant to the RFPs in question. Any rulings, orders or modifications to previous orders with regard RFPs take into consideration this reality and the ongoing "rolling production" process. Nothing in the undersigned's orders here-in are meant to require duplication of production.

A. With regard to findings made numbered “1” through “7” of the April 4th Order, the following findings are entered:

1. Regarding finding numbered “3”, the finding the likely relevant time period for Purdue defendants is from the original OxyContin release date of May 1, 1996 to present is amended in part to specific findings that will be made below as to each State requested RFP and Purdue Defendants' request to modify is **sustained** to that extent.
2. The balance of the findings made numbered “1” through “7” of the April 4th Order remain unchanged and any Defendant requests to modify or strike are **overruled**.

B. Requests For Production, State’s First Motion To Compel

RFP No. 1 – Defendants’ various motions to strike or modify are **overruled** subject to the previous ruling that Defendants must specifically identify any category of documents from other cases they intend to withhold as non-public or confidential governmental investigations or regulatory actions;

RFP No. 2 – Defendants’ various motions to strike or modify are **overruled** subject to the previous ruling that Defendants must specifically identify any category of documents from other cases they intend to withhold as non-public or confidential governmental investigations or regulatory actions;

RFP No. 3 – This RFP in conjunction with RFP 4 and in part 5 seek discovery of sales, training and marketing materials that did help define the pharmaceutical industry's approach to sales, relevant to the claims made in this case. Regarding document discovery concerning sales, training and education materials for opioid sales representatives, the relevant time period is found to be from May 1, 1996, the commencement of the marketing of the original OxyContin as it relates to Purdue, and the known marketing start dates for the balance of the Defendant groups. Such production as to Purdue may be restricted to materials in Purdues’ possession, possession of its current employees, and its third-party sales representatives under promotional contracts on and after 1996 and relevant to branded or un-branded advertisements and/or marketing materials. Therefore, Defendants' various motions to strike or modify are **sustained in part and overruled in part**;

RFP No. 4 – Purdue is **ordered** to produce training and education materials provided to medical liaisons, retained or funded by You concerning medical liaisons with health care professionals, KOLs, and front groups regarding opioids and/or pain treatment for branded and unbranded materials beginning in 2004 and thereafter. Other Defendants are so **ordered** beginning with their relevant marketing time period. Therefore, Defendant groups' various motions to strike or modify are **sustained** in part and **overruled** in part;

RFP No. 5 – Defendants are **ordered** to produce related communications relevant to RFP 4, 5, 7 and 9 currently in their possession, Purdue beginning in 2004 and thereafter and other Defendants' beginning with the relevant marketing time period. Therefore, Defendant groups' various motions to strike or modify are **sustained** in part and **overruled** in part;

RFP No. 6 – Defendant groups' motions to strike or modify are **sustained** in part and **overruled** in part, in that production shall be **ordered** of all branded or un-branded advertisements and/or marketing materials published by You concerning opioids, including, without limitation all videos, pamphlets, brochures, presentations and treatment guidelines. Purdue beginning in 2004 and thereafter and other Defendants' beginning with the relevant marketing time period. Drafts of such materials are **not ordered** located or produced;

RFP No. 7 – Defendant groups' motions to strike is **sustained** as this RFP is now included in Orders entered in RFPs 3, 4, 5 and 6;

RFP No. 8 – Defendant groups' motions to strike is **sustained** as this RFP is now included in Orders entered in RFPs 3, 4, 5 and 6;

RFP No. 9 – Defendant groups' motions to strike is **sustained** as this RFP is now included in Orders entered in RFPs 3, 4, 5 and 6;

RFP No. 10,11 – Defendant groups' motion to strike or modify is **sustained** in part and **overruled** in part as to RFP 10 and 11. Defendant groups are **ordered** to produce documentation reflecting amount spent by You on advertising and marketing related to branded or unbranded opioid advertising, and to KOLs and other Front Groups, Purdue beginning in 2004 and thereafter and other Defendant groups beginning with the relevant marketing date;

RFP No. 12 – Defendant groups’ motion to strike or modify is **sustained** in part in that Defendant groups are ordered to produce all organizational charts identifying your employees involved in (1) the sale, promotion marketing and advertising of your opioids, Purdue since May 1, 1996 and other Defendant groups since the relevant marketing date; and (2) communication with Healthcare Professionals, KOLs and Front Groups regarding opioids, including OxyContin and pain treatment, Purdue beginning in 2004 and other Defendant groups beginning with the relevant marketing date;

RFP No. 13 – Defendant groups’ motion to modify or strike is **sustained** in part and **overruled** in part in that a search for all communications between you and trade groups, trade associations, nonprofit organizations and/or other third-party organizations concerning opioids and/or pain treatment since 1996 is overly burdensome on Purdue and likely impossible to comply with. Production of communications from Purdue relevant to this RFP and currently in the possession of Purdue is **ordered** produced from and since 2006. As to other Defendant groups, such communications in their possession are **ordered** produced beginning with the relevant marketing date;

RFP No. 14 – Regarding communications between you and other opioid manufacturers, distributors, wholesalers, pharmacies and/or BPMs as described in this RFP and RFP 15, communications may be relevant to State’s conspiracy allegations. Defendant groups’ motion to modify or strike is **sustained** in part and **overruled** in part in that a search for all communications referred to in RFP 14 and 15 since 1996 is overly burdensome. Production of communications as described in RFP 14 and 15 and currently in the possession of Purdue is **ordered** produced from and after 2004. As to other Defendant groups, such communications in their possession are ordered produced beginning with the relevant marketing date;

RFP No. 16 – Defendant group’s motion to modify or strike is **overruled**;

RFP No. 18 – Defendant groups’ motions to strike is **sustained** as this RFP is now included in Orders entered in RFPs 4, 5, 10 and 12;

RFP No. 19 – Defendants’ motion to strike or modify the undersigned’s April 4, 2018 Order is **overruled**;

RFP No. 20 – Purdue has now produced or agreed to produce documents concerning the concept of "pseudoaddiction" or "pseudo-addiction". Purdue has also agreed to identify custodians of responsive communications and search for documents to produce, relevant to "pseudoaddiction" or "pseudo-addiction". Therefore, Defendants' request to strike or modify is **sustained** subject to State producing future evidence sufficient to demonstrate failure to produce or to expand the scope of this RFP;

RFP No. 21 – Defendants' motion to strike or modify the undersigned's April 4, 2018 Order is **overruled**;

RFP No. 22 – Defendants' motion to strike or modify the undersigned's April 4, 2018 Order is **overruled**;

RFP No. 23 – Defendants' motion to strike or modify the undersigned's April 4, 2018 Order is **overruled**;

RFP No. 24 – This RFP does seek production of virtually every document and communication generated by potentially hundreds of individuals in Purdues' and other Defendants' departments responsible for scientific research, studies, journal articles, and/or clinical trials regarding opioids and/or pain treatment, including all drafts. This request is found to be overly broad and burdensome. Therefore, Defendants' motion to strike or modify this RFP is **sustained** and the April 4, 2018 ruling is **ordered** stricken and State's request to compel is **denied** in this RFP's current form;

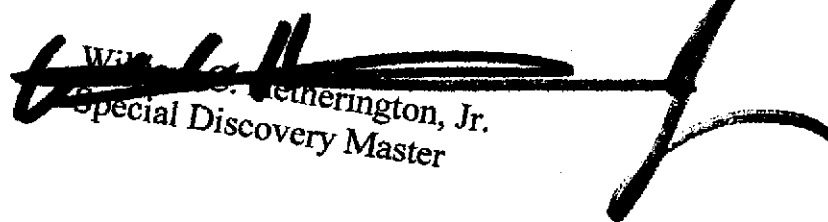
RFP No. 25 – Defendants' motion to strike or modify the undersigned's April 4, 2018 Order is **overruled**;

RFP No. 26 – Defendants' motion to strike or modify the undersigned's April 4, 2018 Order is **overruled**;

RFP No. 27 – Defendants' motion to strike or modify the undersigned's April 4, 2018 Order is **overruled**;

RFP No. 28 - Defendants' motion to strike or modify the undersigned's April 4, 2018 Order is **overruled**.

Entered this 25th day of April, 2018,

A large, bold, handwritten signature in black ink, appearing to read 'William E. Hetherington, Jr.', is written over the printed name. The signature is stylized and extends across the width of the name and title.

William E. Hetherington, Jr.
Special Discovery Master

EXHIBIT 2

**IN THE DISTRICT COURT OF CLEVELAND COUNTY
STATE OF OKLAHOMA**

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

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Defendants')

STATE OF OKLAHOMA } S.C.
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. [REDACTED]
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;

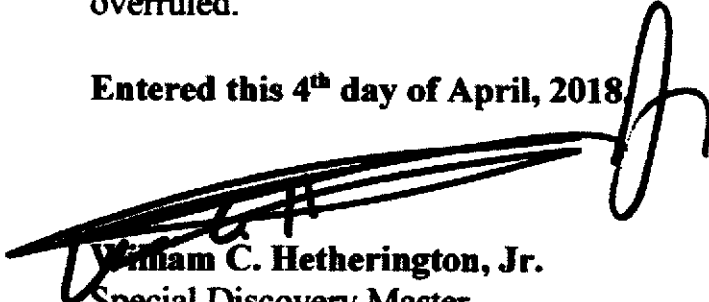
RFP No. 25 – State's motion to compel is overruled with a finding that this RFP is covered within the scope of the Order in RFP No. 23;

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 3

(FILED UNDER SEAL)

EXHIBIT 4

(FILED UNDER SEAL)