ExIN 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
	)	The Honorable Thad Balkman
PURDUE PHARMA L.P., *et al.,*	)	
	)	Special Master: William Hetherington
Defendants.	)	

MOTION TO QUASH TEVA'S NOTICE TO TAKE SECTION 3230(C)(5) VIDEOTAPED DEPOSITION OF CORPORATE REPRESENTATIVE(S) OF THE STATE

The Teva Defendants served a Section 3230(C)(5) Notice for 38 deposition topics (the "Notice"), most of which are either inappropriate or to which witnesses have already testified. First, Teva's Notice confirms that Teva believes it can re-depose someone who has been deposed in this case, without leave of Court. This is in blatant violation of the Oklahoma Rules. Teva cannot articulate any need to depose the State again on a nearly identical topic. Teva was given notice of all prior depositions of the State noticed by other defendants and was present at those depositions. No basis exists for a second deposition on the same thing. Second, Teva seeks testimony from witnesses about topics for which Teva has already lost motions and which this Court has already addressed. Unhappy with those rulings from the Special Discovery Master Teva requested, Teva now seeks the same thing through different means. This is improper and a waste of time. Third, Teva's Notice includes topics nearly identical to those for which it is actively refusing to present its own witnesses to the State. Again, this is improper, as the Teva Defendants confirmed they are not withdrawing their objections to nearly identical topics from the State. Fourth, Teva noticed topics which are essentially contention interrogatories. These topics are, at a

minimum, premature and should be quashed because discovery is on-going and it is within the Court's discretion to allow for contention discovery to be answered after discovery has ended, to the extent they should be allowed. Lastly, many of the topics noticed are irrelevant to this case and are patently over broad. Therefore, the State moves to quash the Notice and respectfully requests the Court grant its Motion as explained below in more detail.

ARGUMENT AND AUTHORITIES

A. Teva improperly attempts to depose a witness twice without leave of Court. (Topic Nos. 15, 18, 22, 23, 25, 26, 28, 29, 30 and 35).

Teva's Notice inexplicably includes numerous topics for which the State has already produced a witness. *See* Exhibit A, Notice to Take Section 3230(C)(5) Videotaped Deposition of Corporate Representative(s) of the State. Rule 3230 prohibits a deposition of a person who has been deposed in a case without leave of Court. 12 O.S. §3230(A)(2)(A)(1); *see also Chechele v. Ward*, 2012 WL 4383405, at *3 (W.D. Okla. Sept. 25, 2012) (Motion to quash granted where further testimony on a topic which witnesses had already testified, or were noticed to testify was duplicative, thus the noticed deposition topics were quashed); *see also Pittman v. American Airlines, Inc.*, 2016 WL 375138, at *4 (N.D. Okla. 375138) (Motion for protective order granted where plaintiff noticed deposition of corporate representative on a topic previously covered in a deposition, therefore the motion was granted prohibiting duplicative and cumulative testimony). The State has already been deposed on Topics 15, 18, 22, 23, 25, 26, 28, 29, 30 and 35. Specifically, Topics 15, 18, 22, 23, 25, and 26 all address issues related to abatement and other topics about which Jessica Hawkins previously testified for two days. Further, Topics 28 and 29 were already addressed by Jessica McGuire in a deposition taken on December 13, 2018. Topic 30 was already covered by Nancy Nesser in a deposition taken on December 12, 2018, and Topic 35 was already addressed in a deposition by Jeff Stoneking on May 16, 2018.

While Teva attempts to slightly change language from previously noticed topics, it is clear they address the same issues already addressed by the State. Teva received notice of each prior deposition. Teva attended each prior deposition. No basis exists for a second deposition of a State witness on the same issue. As such, the Notice as to these Topics is improper under Rule 3230 and should be quashed for that reason alone.

B. Numerous topics seek information which already was ruled upon and is privileged information. (Topic Nos. 1, 5, 17, 20, 36).

The Teva Defendants seek information which was already ruled upon and is privileged information. The information sought by Topics 1 and 17, in which the Teva Defendants are seeking testimony of the State's investigatory files, was already determined by this Court to be privileged, non-discoverable information. *See* Journal Entry On Discovery of Criminal, Civil and Administrative Proceedings; *see also* Order of Special Master, October 22, 2018. Further, Topic 1 is seeking information about pre-suit investigations, which is clearly work product privilege under 12 O.S. §3226(3)(a), which states a "party may not discover documents and tangible things that are prepared in anticipation of litigation." Additionally, Topics 5 and 20 seek previously ruled on information, requesting testimony on patient data which this Court also determined was privileged. *See* December 4, 2018 Order. Lastly, Topic 36 was already addressed and ruled on, and will be addressed in the State's statistical sample. The Teva Defendants are attempting to circumvent the Courts' previous orders by trying to seek information already ruled on in its noticed deposition topics. *See* October 10, 2018, Order of Special Discovery Master; Order of Judge Balkman, filed December 4, 2018. This is a common tactic by Defendants. Lose a motion, file another one. Denied discovery, send it again with a different title. Lose an RFP, send an

interrogatory. Lose an interrogatory, send an RFA. This is highly inappropriate, and therefore, this Court should grant the State's Motion.

C. Numerous topics noticed are inappropriate for a corporate representative, and are expert witness topics. (Topic Nos. 6, 7, and 9).

The Teva Defendants noticed topics for a corporate representative, which are topics more appropriate for an expert witness. Specifically, Topics 6, 7 and 9 request information regarding the State's damages model and causation issues for which the State has designated expert witnesses and provided expert disclosures on these issues. Those individuals will be deposed in this case and the State has offered dates for those depositions. Deposing an additional corporate representative is duplicative, cumulative, and not proportional to the needs of the case. Therefore, because these Topics should be answered by an expert witness, and not a corporate representative of the State, the Court should grant the State's Motion.

D. Contention depositions are not recognized under Oklahoma law, and even if they were, it would be improper to take them at this time. (Topic Nos. 2, 3, 4, 10, 14, 16, 24, 34, 37, and 38).

Teva improperly requests contention depositions be taken of representatives of the State, as noticed per Topics 2, 3, 4, 10, 14, 16, 24, 34, 37, and 38 of Teva's Notice. "Contention discovery, whether in the form of contention interrogatories or contention depositions, can be disruptive mainly because the very nature of such questions will normally require the help of an attorney to assist the client in providing answers." *BB & T Corp. v. U.S.*, 233 F.R.D. 447, 449 (2006). This is problematic because "[t]his type of discovery can add considerable expense to any lawsuit", and "[i]n addition to the extra cost, when lawyers craft responses they will necessarily do so in a way that minimizes jeopardy to their client and, therefore, contention discovery may yield little additional useful information." *Id.* 449-450. Courts often find contention depositions unnecessary because "contention discovery essentially requires a party to prepare a trial brief at

an earlier time in the litigation process than normally occurs." *Id.* Courts need a specific reason to require "such an acceleration," because a court may find the "burden to outweigh the benefit." *Id.* Typically, "the complaint, answer, disclosures, and discovery will provide sufficient information about a party's position until such time as the filing of dispositive motions or trial briefs." *Id.* Thus, the contention deposition topics served by Teva are improper.

Even if not wholly improper, the topics are undoubtedly premature. If a court finds a contention deposition to be necessary, it is premature to allow for a contention deposition until the end of discovery. *Id.* at 450; *see also Bishop Hill Energy* L.L.C., 2016 WL 7373890, at *6 (Fed. Cl. Dec. 20, 2016) (finding contention depositions to be premature when the topics would be encompassed in expert discovery, after fact discovery was completed). In *BB&T Corp.*, the plaintiff requested contention depositions of the defendant, U.S. government, during fact discovery. 233 F.R.D. at 450. While the U.S. government contended (which the court agreed) that the depositions could not be taken until expert reports were issued, the court determined that even in cases not involving expert witnesses, contention discovery should normally be conducted at the end of discovery. *Id.* at 450. The rule on interrogatories is analogous and informative here. Oklahoma courts "may order that such an interrogatory need not be answered until after designated discovery has been completed or until a pretrial conference or other later time." 12 O.S. § 3233(B). Thus, contention discovery in general is disfavored by courts, whether by interrogatory or deposition, but, regardless, these Topics are premature at this time.

Here, the Topics are clearly contention depositions, requesting information which goes to the heart of the State's factual and legal bases for its claims and asking for identification of every single instance the State alleges something occurred. Discovery is still ongoing, and Teva possesses much of the information about its own improper conduct. The State should not be

required to sit for such depositions. Alternatively, the Notice should be quashed until Teva completes its responses to the State's long outstanding discovery requests and provides witnesses for the remaining depositions (first requested months ago).

E. Numerous topics seek information which is irrelevant to this case and is patently over broad. (Topic Nos. 8, 19, 21, 24, 25, 26 and 27).

In Oklahoma, parties may not conduct discovery on matters that are irrelevant to the claims and defenses in the case. *See* 12 O.S. § 3226. This Court possesses "broad discretion" to control the discovery process to ensure that it proceeds justly and efficiently. *State ex rel. Protective Health Serv. v. Billings Fairchild Ctr., Inc.*, 2007 OK CIV APP 24, ¶ 8, 158 P.3d 484, 488. To that end, "district courts should not neglect their power to restrict discovery where justice requires protection for a party or person from annoyance, embarrassment, oppression, or undue burden or expense." *Quinn v. City of Tulsa*, 1989 OK 112, 777 P.2d 1331, 1342.

Here, several of the topics which the Teva Defendants noticed are irrelevant and/or overly broad. Specifically, Topics 19 and 27 have no relevancy to this lawsuit. Topic 19 states:

> The use and abuse in Oklahoma of controlled or regulated substances other than prescription opioids.

See Notice. This topic is overbroad and irrelevant to the case at hand. This case is about opioids, and this topic is specifically about "substances other than opioids." Topic 27 asks to take a deposition on communications between the State and third-party insurers, payors or pharmacy benefits managers. To the extent a single corporate representative could even testify regarding such "communications" this information is plainly irrelevant. Because these topics are irrelevant, the State's Motion should be granted.

Topics 8, 19, 21, 22, 24, 25, 26 and 27 are also overly broad and unduly burdensome. For example, these topics ask for depositions on the communications between the State and any

Oklahoma resident regarding opioid abuse, the State and any Healthcare Provider, and the State and any third-party insurer, payor or pharmacy regarding opioids manufactured by the Teva. As another example, Defendants seek a deposition on the entire State's "annual budget." This is plainly overbroad and unduly burdensome. The Teva Defendants' requests are unfair and would place an unfair burden on the State, which is in direct contradiction with Oklahoma law. Therefore, because the requests made by the Teva Defendants are unduly burdensome and overly broad, this Court should grant the State's Motion.

CONCLUSION

For the foregoing reasons, the State respectfully requests the Court grant its Motion to Quash.

Respectfully submitted,

Michael Burrage, OBA No. 1350
Reggie Whitten, OBA No. 9576
Revel Parrish, OBA No. 30205
WHITTEN BURRAGE
512 N. Broadway Avenue, Suite 300
Oklahoma City, OK 73102
Telephone: (405) 516-7800
Facsimile: (405) 516-7859
Emails: mburrage@whittenburragelaw.com
rwhitten@whittenburragelaw.com
rparrish@whittenburragelaw.com

Mike Hunter, OBA No. 4503
ATTORNEY GENERAL FOR
THE STATE OF OKLAHOMA
Abby Dillsaver, OBA No. 20675
GENERAL COUNSEL TO
THE ATTORNEY GENERAL
Ethan A. Shaner, OBA No. 30916
DEPUTY GENERAL COUNSEL
313 N.E. 21st Street
Oklahoma City, OK 73105

Telephone: (405) 521-3921
Facsimile: (405) 521-6246
Emails: abby.dillsaver@oag.ok.gov
ethan.shaner@oag.ok.gov

Bradley E. Beckworth, OBA No. 19982
Jeffrey J. Angelovich, OBA No. 19981
Lloyd Nolan "Trey" Duck III, OBA No. 33347
Andrew Pate, *pro hac vice*
Lisa Baldwin, OBA No. 32947
Brooke A. Churchman, OBA No. 31946
Nathan B. Hall, OBA No. 32790
NIX, PATTERSON & ROACH, LLP
512 N. Broadway Avenue, Suite 200
Oklahoma City, OK 73102
Telephone: (405) 516-7800
Facsimile: (405) 516-7859
Emails: bbeckworth@nixlaw.com
jangelovich@npraustin.com
tduck@nixlaw.com
dpate@nixlaw.com
lbaldwin@nixlaw.com
bchurchman@nixlaw.com
nhall@nixlaw.com

Glenn Coffee, OBA No. 14563
GLENN COFFEE & ASSOCIATES, PLLC
915 N. Robinson Ave.
Oklahoma City, OK 73102
Telephone: (405) 601-1616
Email: gcoffee@glenncoffee.com

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above and foregoing was emailed on January 11, 2019 to:

Sanford C. Coats
Joshua D. Burns
CROWE & DUNLEVY, P.C.
Braniff Building
324 N. Robinson Ave., Ste. 100
Oklahoma City, OK 73102
sandy.coats@crowedunlevy.com
joshua.burns@crowedunlevy.com

Sheila Birnbaum
Mark S. Cheffo
Hayden A. Coleman
Paul A. Lafata
Benjamin McAnaney
Eric Snapp
Jonathan S. Tam
Lindsay N. Zanello

Bert L. Wolff
Marina L. Schwartz
DECHERT, LLP
Three Byant Park
1095 Avenue of Americas
New York, NY 10036-6797
sheila.birnbaum@dechert.com
mark.cheffo@dechert.com
hayden.coleman@dechert.com
paul.lafata@dechert.com
jonathan.tam@dechert.com
lindsay.zanello@dechert.com
bert.wolff@dechert.com
Erik.snapp@dechert.com
Benjamin.mcananey@dechert.com
marina.schwarz@dechert.com

Jae Hong Lee
DECHERT, LLP
One Bush Street, 16th Floor
San Francisco, CA 94104
jae.lee@dechert.com

Rachel M. Rosenberg
DECHERT LLP
Cira Centre, 2929 Arch Street
Philadelphia, PA 19104
Rachel.rosenberg@dechert.com

Robert G. McCampbell
Nicholas Merkley
Ashley E. Quinn
GABLEGOTWALS
One Leadership Square, 15th Floor
211 North Robinson
Oklahoma City, OK 73102-7255
RMcCampbell@Gablelaw.com
NMerkley@Gablelaw.com
aquinn@gablelaw.com

Benjamin H. Odom
John H. Sparks
Michael Ridgeway
David L. Kinney
ODOM, SPARKS & JONES PLLC
HiPoint Office Building
2500 McGee Drive Ste. 140
Oklahoma City, OK 73072
odomb@odomsparks.com
sparksj@odomsparks.com
ridgewaym@odomsparks.com
kinneyd@odomsparks.com

Steven A. Reed
Harvey Bartle IV
Mark A. Fiore
MORGAN, LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103-2921
steven.reed@morganlewis.com
harvey.bartle@morganlewis.com
mark.fiore@morganlewis.com

Brian M. Ercole
MORGAN, LEWIS & BOCKIUS LLP
200 S. Biscayne Blvd., Suite 5300

Larry D. Ottaway
Amy Sherry Fischer
Andrew M. Bowman
Steven J. Johnson
FOLIART, HUFF, OTTAWAY & BOTTOM
201 Robert S. Kerr Ave, 12th Floor
Oklahoma City, OK 73102
larryottaway@oklahomacounsel.com
amyfischer@oklahomacounsel.com
andrewbowman@oklahomacounsel.com

Miami, FL 33131
brian.ercole@morganlewis.com

Stephen D. Brody
David Roberts
Jessica L. Waddle
O'MELVENY & MYERS LLP
1625 Eye Street NW
Washington, DC 20006
sbrody@omm.com

droberts2@omm.com
jwaddle@omm.com

Daniel J. Franklin
Ross Galin
Desirae Krislie Cubero Tongco
O'MELVENY & MYERS LLP
7 Time Square
New York, NY 10036
Telephone: (212) 326-2000
dfranklin@omm.com
rgalin@omm.com
dtongco@omm.com

Amy Riley Lucas
Lauren S. Rakow
O'MELVENY & MYERS LLP
1999 Avenue of the Stars, 8th Floor
Los Angeles, California 90067
alucas@omm.com

lrakow@omm.com

Jeffrey Allen Barker
O'MELVENY & MYERS, LLP
610 Newport Center Drive
Newport Beach, CA 92660
Tel: 949-823-6900
Fax: 949-823-6994
jbarker@omm.com

stevenjohnson@oklahomacounsel.com

Britta Erin Stanton
John D. Volney
John Thomas Cox III
Eric Wolf Pinker
Jared D. Newsome
Jervonne D. Newsome
Patrick B. Disbennett
LYNN PINKER COX & HURST LLP
2100 Ross Avenue, Suite 2700
Dallas, TX 75201
bstanton@lynnllp.com
jvolney@lynnllp.com
tcox@lynnllp.com
epinker@lynnllp.com
jeisenberg@lynnllp.com
jnewsome@lynnllp.com
pdisbennett@lynnllp.com

Robert S. Hoff
Wiggin & Dana, LLP
265 Church Street
New Haven, CT 06510
rhoff@wiggin.com

Michael Burrage
Michael Burrage

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 Honorable Thad Balkman William C. Hetherington Special Discovery Master

NOTICE TO TAKE SECTION 3230(C)(5) VIDEOTAPED DEPOSITION OF CORPORATE REPRESNTATIVE(S) OF THE STATE

To: State of Oklahoma

Via Electronic Mail

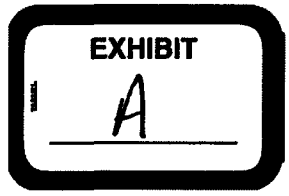
Bradley Beckworth
Jeffrey Angelovich
Lloyd Nolan Duck, III
Andrew Pate
Lisa Baldwin
Nix Patterson, LLP
512 N. Broadway Avenue, Suite 200
Oklahoma City, OK 73102

Robert Winn Cutler
Ross E Leonoudakis
Andrew G. Pate
Lisa Baldwin
Nathan B. Hall
NIX PATTERSON & ROACH
3600 N. Capital of Texas Hwy.
Suite 350
Austin, TX 78746

Michael Burrage
Reggie Whitten
Whitten Burrage
512 N. Broadway Avenue, Suite 300
Oklahoma City, OK 73102

Mike Hunter
Abby Dillsaver
Ethan Shaner
Attorney General's Office
313 N.E. 21st Street
Oklahoma City, OK 73102

Glenn Coffee
Glenn Coffee & Associates, PLLC
915 North Robinson Avenue
Oklahoma City, OK 73102



Please take notice that, pursuant to 12 O.S. § 3230(C), Defendants Teva Pharmaceuticals USA, Inc., Cephalon, Inc., Watson Laboratories, Inc., Actavis LLC, and Actavis Pharma, Inc. (collectively, "Teva Defendants") will take the deposition upon oral examination of one or more corporate representative(s) of Plaintiff the State of Oklahoma (the "State") on the matters described in **Exhibit A** on **January 29, 30 and 31 and February 5, 6, 7, 12, 13, 14, and 15, 2019, starting at 9:00 AM**, at the offices of Whitten Burrage, 512 North Broadway Avenue, Suite 300, Oklahoma City, Oklahoma 73102.

This deposition is to be used as evidence in the trial of the above action, and the deposition will be taken before an officer authorized by law to administer oaths. It will be recorded by stenographic means and will be videotaped. It will continue from day to day until completed.

Pursuant to 12 O.S. § 3230(C)(5), the State is hereby notified of its obligation to designate one or more officers, directors, managing agents, or other persons who consent to testify on the State's behalf about all matters described in **Exhibit A**. Please take further notice that each such officer, director, managing agent, or other person produced by the State to 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 State, and spoken to all potential witnesses known or reasonably available to the State, in order to provide informed and binding answers at the deposition(s).

DATED: January 8, 2019.

Robert G. McCampbell, OBA No. 10390
Nicholas ("Nick") V. Merkley, OBA No. 20284
Ashley E. Quinn, OBA No. 33251
GABLEGOTWALS
One Leadership Square, 15th Fl.

211 North Robinson
Oklahoma City, OK 73102-7255
T: +1.405.235.3314
E-mail: RMcCampbell@Gablelaw.com
E-mail: NMerkley@Gablelaw.com
E-mail: AQuinn@Gablelaw.com

OF COUNSEL:
Steven A. Reed
Harvey Bartle IV
Mark A. Fiore
Rebecca Hillyer
MORGAN, LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103-2921
T: +1.215.963.5000
E-mail: steven.reed@morganlewis.com
E-mail: harvey.bartle@morganlewis.com
E-mail: mark.fiore@morganlewis.com
E-mail: rebecca.hillyer@morganlewis.com

Brian M. Ercole
Melissa M. Coates
Martha A. Leibell
MORGAN, LEWIS & BOCKIUS LLP
200 S. Biscayne Blvd., Suite 5300
Miami, FL 33131
T: +1.305.415.3000
E-mail: brian.ercole@morganlewis.com
E-mail: melissa.coates@morganlewis.com
Email: martha.leibell@morganlewis.com

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

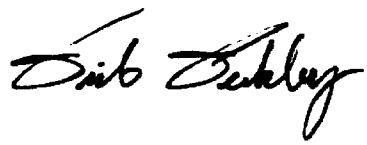
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was emailed this 8th day of January, 2019, to the following:

Attorneys for Plaintiff	Mike Hunter, Attorney General Abby Dillsaver, General Counsel Ethan Shaner, Dep. Gen. Counsel **ATTORNEY GENERAL'S OFFICE** 313 N.E. 21st Street Oklahoma City, OK 73105	Michael Burrage Reggie Whitten J. Revell Parrish **WHITTEN BURRAGE** 512 N. Broadway Ave., Ste. 300 Oklahoma City, OK 73102
	Bradley E. Beckworth Jeffrey J. Angelovich Lloyd N. Duck **NIX, PATTERSON & ROACH** 512 N. Broadway Ave., Ste. 200 Oklahoma City, OK 73102	Andrew G. Pate Lisa Baldwin Nathan B. Hall **NIX PATTERSON & ROACH** 3600 N. Capital of Texas Hwy. Suite 350 Austin, TX 78746
	Glenn Coffee **GLENN COFFEE & ASSOCIATES** 915 N. Robinson Ave. Oklahoma City, OK 73102	Robert Winn Cutler Ross E Leonoudakis **NIX PATTERSON, LLP** 3600 N Capital of Texas Highway, Suite B350 Austin, TX 78746

Attorneys for Johnson & Johnson, Janssen Pharmaceutica, Inc., N/K/A Janssen Pharmaceuticals, Inc., and Ortho-McNeil-Janssen Pharmaceuticals, Inc. N/K/A Janssen Pharmaceuticals, Inc.	John H. Sparks Benjamin H. Odom Michael W. Ridgeway David L. Kinney **ODOM SPARKS & JONES** 2500 McGee Drive, Suite 140 Norman, OK 73072	Charles C. Lifland Jennifer D. Cardelus Wallace M. Allan Sabrina H. Strong Houman Ehsan Esteban Rodriguez **O'MELVENY & MEYERS** 400 S. Hope Street, 18th Floor Los Angeles, CA 90071
	Stephen D. Brody David Roberts **O'MELVENY & MEYERS** 1625 Eye Street NW Washington, DC 20006	Daniel J. Franklin Ross B Galin Desirae Krislie Cubero Tongco **O'MELVENY & MEYERS** 7 Times Square New York, NY 10036
	Amy R. Lucas Lauren S. Rakow Jessica L. Waddle **O'MELVENY & MEYERS** 1999 Ave. of the Stars, 8th Fl. Los Angeles, CA 90067	Jeffrey A. Barker **O'MELVENY & MEYERS** 610 Newport Center Drive Newport Beach, CA 92660
	Larry D. Ottaway Amy Sherry Fischer **FOLIART, HUFF, OTTAWAY & BOTTOM** 201 Robert S. Kerr Avenue, 12th Fl. Oklahoma City, OK 73102	

Attorneys for Purdue Pharma, LP, Purdue Pharma, Inc. and The Purdue Frederick Company	Sheila L. Birnbaum Mark S. Cheffo Hayden Adam Coleman Paul LaFata Jonathan S. Tam Lindsay N. Zanello **DECHERT LLP** Three Bryant Park 1095 Avenue of the Americas New York, NY 10036	Erik W. Snapp **DECHERT LLP** 35 West Wacker Drive, Ste. 3400 Chicago, IL 60601 Benjamin F. McAnaney **DECHERT LLP** 2929 Arch Street Philadelphia, PA 19104
	John D. Volney John T. Cox, III Eric W. Pinker Jared D. Eisenberg Jervonne D. Newsome **LYNN PINKER COX & HURST, LLP** 2100 Ross Avenue, Suite 2700 Dallas, TX 75201	Robert S. Hoff **WIGGIN & DANA, LLP** 265 Church Street New Haven, CT 06510 Sandy Coats Joshua Burns **CROWE & DUNLEVY** 324 N. Robinson Ave., Ste. 100 Oklahoma City, OK 73102



Nick Merkley

EXHIBIT A

1. Any pre-suit investigation conducted by the State regarding any Teva Defendant or prescription Opioids.

2. The nature and circumstances of any false, misleading, unlawful, and/or deceptive statements, omissions, or conduct concerning prescription Opioids, including Actiq or Fentora, made in Oklahoma during the Relevant Time by: (a) Cephalon; (b) Teva USA; (c) Watson; (d) Actavis LLC; and/or (e) Actavis Pharma.

3. The nature and circumstances of any false, misleading, unlawful, and/or deceptive statements, omissions, or conduct concerning prescription Opioids, including Actiq or Fentora, made by any third party in Oklahoma during the Relevant Time that the State seeks to attribute to: (a) Cephalon; (b) Teva USA; (c) Watson; (d) Actavis LLC; and/or (e) Actavis Pharma.

4. The nature and circumstances of any false, misleading, unlawful, and/or deceptive statement, omission, or conduct attributable to any Teva Defendant that caused any Healthcare Provider in Oklahoma to write an Opioid prescription during the Relevant Time Period.

5. The nature and circumstances regarding any patients in Oklahoma that were harmed by any prescription Opioid manufactured by any Teva Defendant.

6. The nature and circumstances regarding any prescription of any Opioid manufactured by any Teva Defendant, including Actiq and Fentora, that the State contends caused it harm and for which it is seeking to recover damages in this lawsuit.

7. For each prescription identified in response to Topic No. 6, whether or not the prescription was reimbursed by Plaintiff and if so, the circumstances surrounding the coverage decision.

8. The nature and circumstances regarding any Opioid prescriptions manufactured by the Teva Defendants, including for Actiq and Fentora, written by Healthcare Professionals employed by the State or who practiced at facilities owned, operated, or affiliated with the State.

9. Any allegedly false or fraudulent claims that were submitted for payment to the Oklahoma Medicaid Program (or any other of Your Programs) that the State seeks to attribute to (a) Cephalon; (b) Teva USA; (c) Watson; (d) Actavis LLC; and/or (e) Actavis Pharma.

10. The nature of and the factual basis for the claims alleged in the Petition against each of the Teva Defendants.

11. Your understanding of the proper prescribing and appropriate use of Actiq, Fentora, or other prescription Opioids manufactured by any of the Teva Defendants during the Relevant Time Period.

12. Your understanding of the risks of Actiq, Fentora, or other prescription Opioids manufactured by any of the Teva Defendants during the Relevant Time Period.

13. The State's claimed damages against the Teva Defendants, including, but not limited to, all categories of damages identified in the State's January 10, 2018 Initial Disclosures, the factual basis for each claim of damages, the amount of damages, the facts and documents through which the amount of damages may be ascertained, and the process and methodology by which the amounts have been or will be calculated, and any information connecting each category of damages (and the amount(s)) to the specific conduct of each Teva Defendant.

14. The nature of and factual basis for the relief requested by the State in the Petition against each of the Teva Defendants.

15. The State's efforts to mitigate any harm or damages that the State alleges was caused by each of the Teva Defendants in this litigation, including, but not limited to, actions to prevent Opioid diversion, to limit the prescribing of prescription Opioids, to prevent or treat Opioid abuse, and to prosecute or otherwise sanction persons contributing to the problem.

16. The factual nexus between any Teva Defendant and any prescription Opioid, incident of Opioid abuse, or any other harm for which the State seeks relief from the Teva Defendants.

17. The State's investigation into, civil or criminal prosecution of, and/or discipline of doctors, pharmacists, pharmacies, clinics, "pill mills," or hospitals in Oklahoma for the improper prescribing or diversion of Opioids during the Relevant Time Period, including the State's knowledge of any complaints regarding improper opioid prescribing practices of any Healthcare Professional in Oklahoma.

18. Rules, regulations, ordinances, legislation, policies, or guidelines (and changes thereto over time) in Oklahoma related to Opioids during the Relevant Time Period.

19. The use and abuse in Oklahoma of controlled or regulated substances other than prescription Opioids.

20. Your knowledge of individuals who overdosed on, or became addicted to, prescription Opioids in Oklahoma, including any individuals who overdosed on or became addicted to Actiq, Fentora, or any prescription Opioid manufactured by any Teva Defendant.

21. The State's annual budget during the Relevant Time Period, including the portion of each year's budget dedicated to costs allegedly caused by prescription Opioids

and the portion of each year's budget dedicated to preventing or mitigating the "Opioid Epidemic" (as that term is used in the Petition).

22. The source(s) of the State's budget revenues, including any funding that were specifically allocated to reacting to, combating, treating, assessing, or otherwise specifically addressing prescription Opioid diversion, abuse, or addiction.

23. Any taskforce, program, working group, committee, or other organization designed to address Opioid prescribing, promotion, marketing, distribution, diversion, use, and/or misuse.

24. Communications between the State and any Teva Defendant regarding prescription Opioids.

25. Communications between the State and any resident of Oklahoma regarding Opioid abuse including any communications regarding the promotion, marketing, or overprescribing of Opioid prescriptions for which the State seeks damages.

26. Communications between the State and any Healthcare Provider regarding the promotion, marketing, prescribing, or reimbursement of Actiq, Fentora, or any prescription Opioid manufactured by any Teva Defendant or their efficacy.

27. Communications between the State and any third-party insurer, payor, or pharmacy benefits manager related to prescription Opioids, including Actiq or Fentora.

28. Policies and procedures applicable to Healthcare Providers and pharmacies regarding use of the Oklahoma Prescription Drug Monitoring Program (PDMP) administered by the Oklahoma Bureau of Narcotics and Dangerous Drugs Control.

29. The State's knowledge of and monitoring of the quantities of prescription Opioids prescribed, dispensed, sold, distributed, and used in Oklahoma, including its knowledge of the setting of quotas by the DEA for prescription Opioids

30. The nature and circumstances behind the coverage or reimbursement of prescription Opioids, including Actiq or Fentora, on the State's behalf during the Relevant Time Period (and any changes with respect to coverage or reimbursement), including on behalf of Plaintiff's employees, their dependents, incarcerated persons, Medicaid enrollees, or pension beneficiaries.

31. The identity, roles, duties and/or responsibilities of all persons, including third parties, with regard to the management, implementation, maintenance, and/or administration of Your Programs or any pharmacy benefit program or plan on behalf of the State.

32. The design and administration of any pharmacy benefit program or plan (and any changes thereto) on the State's behalf during the Relevant Time Period, including,

but not limited to (a) the features of the pharmacy benefit program or plan and any changes thereto; (b) all formularies regarding prescription drugs associated with the pharmacy benefit program or plan; (c) which prescription drugs will be covered or excluded; (d) any coverage limits, rules, or restrictions placed on Actiq, Fentora, or any other prescription Opioids during the Relevant Time Period; (e) whether to approve a claim for reimbursement for Actiq, Fentora, or any other prescription Opioid; and (f) and whether a patient's medical history should be reviewed to determine the appropriateness of any prescription of Actiq, Fentora, or other prescription Opioid.

33. The circumstances behind any denial by the State, or any other entity that provides or administers benefits for Your Programs, of claims for the reimbursement of prescriptions of Actiq, Fentora, or any other Opioid prescription manufactured by each of the Teva Defendants, including, but not limited to, any denials because the prescriptions were unnecessary, excessive, or otherwise improper.

34. Your understanding of the causes of the "Opioid Epidemic" (as that term is used in Plaintiff's Petition).

35. Efforts to comply with Defendants' Requests for Production of Documents, Requests for Admission, and/or Interrogatories.

36. Identification of and the circumstances behind all "unnecessary" or "excessive" prescriptions within the 245 prescriptions identified in paragraph 37 and Exhibit 3 of the Petition, including, but not limited to, the factual basis for alleging the prescription was "unnecessary or excessive."

37. The factual bases supporting Your claim that each of the Teva Defendants "knowingly caused to be presented false or fraudulent claim for payment by Oklahoma Medicaid by marketing their drugs in a manner aimed at downplaying the risks of opioids (specifically the risks of addiction and abuse), overstating their efficacy, and thus, wrongly increasing the number of prescriptions made to Oklahoma Medicaid patients," as alleged in paragraph 75 of the Petition.

38. The factual bases supporting your assertion that each of the Teva Defendants agreed with the other Defendants in this case to engage in "decades long false and deceptive marketing campaign," as alleged in paragraph 40 of the Petition, including the dates that each Teva Defendant allegedly agreed to engage in such a campaign and the means by which each Teva Defendant participated in that campaign.