



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.

For Judge Hetherington's
Consideration

Case No. CJ-2017-816
Honorable Thad Balkman

William C. Hetherington
Special Discovery Master
STATE OF OKLAHOMA
CLEVELAND COUNTY, C.S.

FILED
FEB 26 2019

In the office of the
Court Clerk MARILYN WILLIAMS

**TEVA DEFENDANTS' RESPONSE TO STATE'S MOTION TO QUASH DEPOSITION
NOTICES OF CORPORATE REPRESENTATIVES**

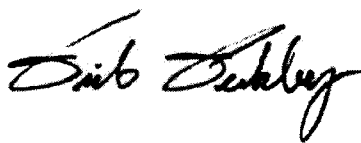
The State of Oklahoma's motion to quash the Teva Defendants' corporate deposition notices is moot. This is the State's second attempt to avoid providing fact testimony in support of its claims against them. Judge Balkman overruled the State's first motion to quash the Teva Defendants' corporate deposition topics and ordered on February 14, 2019 that those depositions go forward and be completed by the March 15, 2019 discovery cut-off. Feb. 14, 2019 Tr. at 2-14-19 Transcript, 71:1-5 ("I'm prepared to allow them to go forward with those notices on new topics

. . . . I would like to limit those to four hours, and that would be exclusive of cross-examination. And those would need to be completed by March 15th.”).

As the Teva Defendants also stated during the February 14, 2019 hearing, their deposition topics sought information specific to the Teva Defendants. *Id.* at 72:9-10 (“Judge Balkman: . . . you’re seeking information specific to Teva. Is that correct? Mr. Merkley: That’s correct.”). Judge Balkman also directed that the Teva Defendants re-noticed the depositions, which they did on February 20, 2019. Indeed, even a cursory review of the Teva Defendants’ deposition notices, attached to the State’s motion to quash, shows that they were already sought information specific to the Teva Defendants, which the State ignored in its blatant attempt to run out the clock on the Teva Defendants’ ability to take those depositions before the discovery cut-off.

Nonetheless, in response to the State’s motion to quash, the Teva Defendants *further* narrowed the topics for which they seek corporate fact testimony from the State. The Teva Defendants served those revised notices on February 25, 2019. As such, the State’s motion is moot and the Teva Defendants will proceed in accordance with the revised notices and complete those depositions before March 15, 2019, as ordered by Judge Balkman.

Dated: February 26, 2019



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was emailed this 26th day of February, 2019, to the following:

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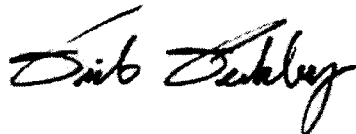
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