



APR 30 2019

IN THE DISTRICT COURT OF CLEVELAND COUNTY
STATE OF OKLAHOMA

In the office of the
Court Clerk MARILYN WILLIAMS

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

Plaintiff,

**For Judge Balkman's
Consideration**

v.

Case No. CJ-2017-816
Honorable 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, 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.

William C. Hetherington
Special Discovery Master

**TEVA DEFENDANTS' AND ACTAVIS DEFENDANTS' ADOPTION AND JOINDER
OF MOTIONS *IN LIMINE* FILED BY THE JANSSEN DEFENDANTS**

Defendants Teva Pharmaceuticals, USA, Inc., Cephalon, Inc., Watson Laboratories, Inc.,
Actavis LLC, and Actavis Pharma, Inc., F/K/A Watson Pharma, Inc. (the "Teva and Actavis
Defendants") respectfully submit this adoption and joinder to the Motions *in Limine* filed by the

Janssen Defendants¹ on April 26, 2019. Specifically, the Teva and Actavis Defendants adopt and join the following:

- Motion *in Limine* No. 1 To Exclude Inflammatory Statements;
- Motion *in Limine* No. 2 To Exclude Evidence Regarding Lobbying Activities;
- Motion *in Limine* No. 3 To Exclude Evidence Regarding Advocacy Groups;
- Motion *in Limine* No. 4 To Exclude References to the Activities of Noramco and Tasmanian Alkaloids;
- Motion *in Limine* No. 5 To Exclude Insinuations about Marketing to Children;
- Motion *in Limine* No. 6 To Preclude Insinuation that Janssen’s Opioid Medications are Inappropriate for Treating Chronic Pain;
- Motion *in Limine* No. 7 To Exclude Purdue Evidence for Purposes of Janssen or J&J’s Liability;
- Motion *in Limine* No. 8 To Preclude Evidence about Individual Experiences with Opioids;
- Motion *in Limine* No. 9 References to Requests for Proposal No. 6181;
- Motion *in Limine* No. 10 To Exclude The 2004 FDA Warning Letter;
- Motion *in Limine* No. 11 To Exclude Evidence Asserting Fraud on the DEA;
- Motion *in Limine* No. 12 To Exclude Evidence About Conduct and Harms Outside of Oklahoma;
- Motion *in Limine* No. 13 Seeking to Exclude Evidence of Other Alleged Wrongful Acts;
- Motion *in Limine* No. 14 To Exclude Testimony From Dr. Russell Portenoy.

For the reasons set forth in the Janssen Defendants’ Motions, the Teva Defendants and the Actavis Defendants agree the Court should exclude the evidence and testimony identified in these Motions

¹ Janssen Pharmaceuticals, Inc., Johnson & Johnson, and Janssen Pharmaceuticals, Inc.’s predecessors, Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharamaceutica, Inc. are collectively referred to as the “Janssen Defendants.”

in Limine. The Teva Defendants and Activas Defendants hereby adopt the arguments set forth in the Janssen Defendants' Motions *in Limine* identified above and request the same relief from this Court. *See* 12 O.S. § 2010(C).

Some of the Motions *in Limine*² address evidence or conduct that is specific to the Janssen Defendants. The Teva Defendants and Actavis Defendants Joinder of the Janssen Defendants' Motions *in Limine* on these issues is not, and should not be construed as, an admission that the specific evidence and conduct of the Janssen Defendants addressed in the Motions *in Limine* have anything to do with the Teva and Activas Defendants. It does not. The Teva and Actavis Defendants made this point clear in its Motion for Severance and Separate Trails (filed 2/26/2019). Nevertheless, the Motion for Severance was denied, subject to reconsideration after dispositive motions are decided. *See* Summary Order (filed 4/16/2019). As a result, the Teva Defendants and Activas Defendants expressly adopt and join these Motions *in Limine* filed by the Janssen Defendants in order to limit, to the extent possible, the prejudice resulting from the joint trial of the Janssen Defendants and the Teva and Activas Defendants.

Dated April 30, 2019

Respectfully submitted,



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² *See, i.e.*, Janssen Defendants' Motions *in Limine* Nos. 4, 5, 9, 10, and 11.

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CERTIFICATE OF SERVICE

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