



IN THE DISTRICT COURT OF CLEVELAND COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex r
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

SEALED

STATE OF OKLAHOMA
CLEVELAND COUNTY
FILED In The
Office of the Court Clerk
MAY 02 2019

For Judge Balkman's
Consideration

Case No. CJ-2017-816
Honorable Thad Balkman

William C. Hetherington
Special Discovery Master

In the office of the
Court Clerk MARILYN WILLIAMS

SEALED

DEFENDANTS TEVA PHARMACEUTICALS USA, INC.,
CEPHALON, INC., WATSON LABORATORIES, INC., ACTAVIS LLC,
AND ACTAVIS PHARMA, INC., f/k/a WATSON PHARMA, INC.'S
MOTION FOR SUMMARY JUDGMENT AND BRIEF IN SUPPORT

EXHIBIT 59 FILED UNDER SEAL

EXHIBIT 59

VII. POLICY ON THIRD-PARTY GRANT REQUESTS

A. Policy

Hospitals, patient advocacy groups, non-profit professional societies, conference sponsors, accredited continuing medical education providers and similar organizations may request financial support from Cephalon for educational activities. These types of activities include accredited continuing medical education programs ("CME") and non-accredited independent medical education programs and can involve live events and/or enduring materials (e.g., publications, CD-ROMs, etc.). Cephalon may provide grants to sponsor bona fide educational activities that increase the understanding of scientific, clinical, and/or medical issues in order to improve patient care.

The review and approval process, including all funding decisions for proposed grants, shall be the responsibility of Cephalon's medical group, with input from the Legal Department. Such review and approval process is separate from Sales and Marketing.

This Policy does not cover the following activities:

- Charitable contributions, which are addressed in a separate document issued by the Corporate Communications Department.
- Promotional programs (also referred to as Cephalon Speaker Programs or CSPs) that are organized and/or conducted by Cephalon. Promotional programs are covered in Policy V.

Grants for educational activities/programs may be made only to an organization, such as a hospital, patient advocacy group, conference sponsor or an accredited CME organization that provides accredited programs. Grants may not be provided to: (i) an individual healthcare professional; (ii) physician private practice groups; (iii) a charity, foundation or clinic associated with, or controlled by, a physician private practice group.

B. General Standards

The following Cephalon standards must be adhered to in connection with all grant requests:

1. Submission Process. Sales personnel must not prompt or otherwise solicit a grant request. Request for grants must be submitted by the entity requesting the grant to the Cephalon internet website at www.cephalon.com (Contact Us). The request should be submitted to Cephalon at least forty-five (45) days in advance of the program date.
2. Independence. The grant submission process must be handled independently without the aid of Cephalon sales personnel. Thus, Cephalon sales personnel may not assist in drafting or otherwise preparing the grant request. No promises regarding funding of a proposed grant can be made to the entity requesting the grant.
3. Request for Grant Progress Information. All requests for information regarding the progress of a grant request must be referred to the website at www.cephalon.com (Contact Us).
4. Grant Funding. If the grant is approved by Cephalon's internal grant review process, the funds will be sent directly to the Grant Recipient. Payment will not be made until there is a letter of agreement in place that has been approved by the Legal department.
5. Content and Speaker Selection. The Grant Requester must retain sole control over the educational program, including speaker and topic selection, content of the program, educational methods and enduring materials (if any). Therefore, sales personnel may not discuss potential speakers or topics with the Grant Requestor or in any other way discuss the content of the program with the Grant Requestor.

6. Attendees. Attendees of the program must be selected by the Grant Requestor. If requested by the Grant Requestor and approved by Cephalon's internal grant review process, sales personnel may be asked to distribute a subset of invitations to prospective program attendees. Distribution of invitations by Cephalon employees may not be based on patterns or potential for prescribing or recommending Cephalon products.
7. Attendance at Independent Medical Education Programs. Cephalon sales personnel may attend programs for which Cephalon provides grants, if allowed by the Grant requestor and approved by their management, but they may not in any way participate in the program (e.g., may not ask questions at the program, may not discuss the program with any of the attendees, etc.).
8. Booths and Display Tables. If permitted by the Grant Requestor and approved by Cephalon's internal grant review process, sales personnel may distribute PDRC-approved promotional materials outside the room where the educational program is taking place. Any such promotional activities cannot be in an obligate path to the room where the program is occurring. Such Cephalon activity must be distinctly separate from the education event and occur either before or after the event. In addition, sales representatives may not reference or discuss any topics discussed at the educational event when distributing Cephalon-approved promotional material at a booth or display table.

C. Research Grants

Physicians or institutions sometimes request assistance from Cephalon in the form of free product or funding for clinical research. All research grants, provision of study product or other support must be made based upon scientific merit as determined by internal Cephalon committees that have been established to review these requests. Cephalon employees should direct physicians or institutions to submit any such requests via Cephalon's website at www.cephalon.com. Sections B(1) through B(4) above, which are applicable to research grants, govern such activities as well.