

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

THE MUSCOGEE (CREEK) NATION	)	Case No. 1:18-op-45459
	)	
PLAINTIFF,	)	JUDGE DAN AARON POLSTER
v.	)	
	)	<b>Motion to Dismiss</b>
PURDUE PHARMA L.P.; et al.,	)	(MDL Case No. 17-md-2804)
	)	
DEFENDANTS.	)	

---

**DEFENDANT GCP PHARMA, LLC'S MOTION TO DISMISS**

Defendant GCP Pharma, LLC is named as a Distributor Defendant in Plaintiff's First Amended Complaint, and joins and incorporates by reference in the Motion to Dismiss (Doc #49) and Memorandum in Support (Doc. 49-1) filed by Distributor Defendants AmerisourceBergen Corporation, AmerisourceBergen Drug Corporation, Cardinal Health, Inc., Cardinal Health 110, LLC, and McKesson Corp.

Dated: September 26, 2018

Respectfully submitted,

s/ Steven W. Simcoe

Sean H. McKee, OBA #14277

*smckee@bestsharp.com*

Matthew B. Free, OBA #18055

*mfree@bestsharp.com*

Benjamin D. Reed, OBA #22696

*breed@bestsharp.com*

Steven W. Simcoe, OBA #15349

*ssimcoe@bestsharp.com*

**BEST & SHARP**

Williams Center Tower 1

One West Third Street, Suite 900

Tulsa, OK 74103

Telephone: (918) 582-1234

Facsimile: (918) 585-9447

*Attorneys for Defendant GCP Pharma, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 26<sup>th</sup> day of September, 2018, the foregoing **Motion to Dismiss** was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/ Steven W. Simcoe \_\_\_\_\_

Steven W. Simcoe