

DEPARTMENT OF COMMERCE  
Heber M. Wells Building, 2<sup>ND</sup> Floor  
160 EAST 300 SOUTH  
SALT LAKE CITY, UTAH 84114

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BEFORE THE DIVISION OF CONSUMER PROTECTION  
OF THE DEPARTMENT OF COMMERCE  
OF THE STATE OF UTAH

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IN THE MATTER OF:

**PURDUE PHARMA, L.P.**, a Delaware limited partnership; **PURDUE PHARMA, INC.**, a New York corporation; **THE PURDUE FREDERICK COMPANY**, a Delaware corporation; **RICHARD SACKLER, M.D.**, individually and as an owner, officer, director, member, principal, manager and/or key employee of the above named entities; and **KATHE SACKLER, M.D.**, individually and as an owner, officer, director, member, principal, manager and/or key employee of the above named entities,

Respondents.

**R151-4-109(2)(c)(i) REQUEST AND ORDER ON EXTENSION**

Case No. **CP-2019-005**

DCP Case No. 107102

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Pursuant to R151-4-109(2)(c)(i), the undersigned presiding officer hereby requests a continuance to and including March 16, 2020, to hold the administrative hearing in the above-referenced matter. As required by the rule, I base this request on extenuating circumstances.

As you may know, this matter involves a complex set of allegations covering a lengthy time-period. This necessitates significant discovery by the parties in preparation for the hearings. Although parties' conflicting briefs to a recent motion for a continuance obscure more than they reveal about the ongoing discovery process, it is clear that significant discovery remains to be completed between now and the currently scheduled end of discovery. For a variety of reasons, I

do not believe the limited time remaining presents insurmountable due process concerns.

However, it is prudent to continue this matter to March 16, 2020 to allow additional time for parties to complete discovery and motion practice.

In addition to this continuance delineating the date on which the hearing should conclude, it would be prudent to impress upon the parties the necessity of expeditiously proceeding with discovery. If parties cannot resolve disputes within a brief period after conferring, they should present the matter to the presiding officer or administrative law judge for swift resolution. The administrative law judge may hold regular status conferences to prevent needless delays.

Lastly, I request your order include a provision requiring the hearing to begin by February 25, 2020. This will ensure significant hearing time before the March 16<sup>th</sup> date on which the hearing must conclude. I propose these hearing dates remain firm to ensure the parties proceed with discovery and motion practice expeditiously. The parties are sophisticated entities with ample experience, sufficient resources, and able counsel. Based on these hearing dates, the administrative law judge can amend the schedule to ensure sufficient discovery time before the commencement of hearing if the parties conscientiously seek resolution instead of delay.

Dated this 22nd day of July, 2019.

DEPARTMENT OF COMMERCE



Chris Parker, Presiding Officer

**ORDER**

Based upon the Request of the presiding officer in the above-entitled matter, and good cause appearing therefore, it is hereby ORDERED that:

- 1) the concluding date of the administrative hearing in this matter be extended to and including March 16, 2020;
- 2) the hearing in the matter shall commence on or before February 25, 2020; and
- 3) parties shall seek swift resolution from the presiding officer or administrative law judge of any discovery dispute that cannot be resolved after conferral between the disputing parties.

Dated this 22<sup>nd</sup> day of July, 2019.

DEPARTMENT OF COMMERCE



FRANCINE GIANI, EXECUTIVE DIRECTOR

CERTIFICATE OF SERVICE

I hereby certify that on the 23<sup>RD</sup> day of July, 2019, I served the foregoing on the parties of record in this proceeding by delivering a copy by electronic means to:

Chris Parker  
Acting Director/Presiding Officer  
Division of Consumer Protection  
chrisparker@utah.gov

Purdue Pharma, L.P.  
Purdue Pharma, Inc., and  
The Purdue Frederick Company,  
(the "Purdue Respondents"),  
through counsel  
Elisabeth McOmber  
Katherine R. Nichols  
SNELL & WILMER  
emcomber@swlaw.com  
knichols@swlaw.com

Purdue Respondents, through counsel  
Will Sachse  
Sara Roitman  
Erik Snapp  
DECHERT LLP  
will.sachse@dechert.com  
sara.roitman@dechert.com  
erik.snapp@dechert.com

Richard Sackler, and  
Kathe Sackler, through counsel  
Patrick E. Johnson  
Paul T. Moxley  
Timothy J. Bywater  
COHNE KINGHORN  
pjohnson@ck.law  
pmoxley@ck.law  
tbywater@ck.law

Richard Sackler, through counsel  
Douglas J. Pepe, Gregory P. Joseph  
Christopher J. Stanley, Mara Leventhal  
Roman Asudulayev  
JOSEPH HAGE AARONSON LLC  
dpepe@jha.com, gjoseph@jha.com  
cstanley@jha.com, mleventhal@jha.com  
rasudulayev@jha.com

Kathe Sackler, through counsel  
Maura Monaghan, Susan Gittes  
Jacob Stahl  
DEBEVOISE & PLIMPTON LLP  
mkmonaghan@debevoise.com  
srgittes@debevoise.com  
jwstahl@debevoise.com

Robert G. Wing, AAG  
Kevin McLean, AAG  
rwing@agutah.gov  
kmclean@agutah.gov  
Counsel for the Division

Linda Singer, Elizabeth Smith  
Lisa Saltzburg, David Ackerman  
MOTLEY RICE LLC  
lsinger@motleyrice.com  
esmith@motleyrice.com  
lsaltzburg@motleyrice.com  
dackerman@motleyrice.com  
Counsel for the Division

N. Majed Nachawati, Matthew R. McCarley  
Misty Farris, Jonathan Novak, Ann Saucer  
FEARS NACHAWATI, PLLC  
mn@fnlawfirm.com, mccarley@fnlawfirm.com  
mfarris@fnlawfirm.com  
jnovak@fnlawfirm.com  
asaucer@fnlawfirm.com  
Counsel for the Division

Glenn R. Bronson  
RICHARDS BRANDT MILLER NELSON  
Glemm-Bronson@rbmn.com  
Counsel for the Division

/s/ Nathaniel Gallegos