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Attorneys for Respondent and Kathe Sackler

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

IN THE MATTER OF:

PURDUE PHARMA L.P., a Delaware limited partnership; PURDUE PHARMA INC., a New York Corporation; THE PURDUE FREDERICK COMPANY INC., 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.

**MOTION FOR EXPEDITED
CONSIDERATION OF MOTIONS FOR
PRO HAC VICE ADMISSION OF
COUNSEL FOR RESPONDENT
KATHE SACKLER**

DCP Legal File No. CP-2019-005

DCP Case No. 107102

Respondent Kathe Sackler (the “**Respondent**”) moves for expedited consideration of the concurrently filed (1) Motion and Consent of Sponsoring Counsel for Pro Hac Vice Admission of Maura Kathleen Monaghan, (2) Motion and Consent of Sponsoring Counsel for Pro Hac Vice Admission of Susan Reagan Gittes, and (3) Motion and Consent of Sponsoring Counsel for Pro Hac Vice Admission of Jacob Wohl Stahl (collectively, the “**Pro Hac Vice Motions**”).

On or about May 6, 2019, and pursuant to Utah Admin. Code R151-4-110(1)(a) and (2), Maura Kathleen Monaghan, Susan Reagan Gittes, and Jacob Wohl Stahl (collectively, “**Pro Hac Vice Counsel**”) appeared on behalf of the Respondent in the above-captioned proceeding. The Utah Administrative Code does not require the filing of the Pro Hac Vice Motions. However, the Respondent currently has a proceeding pending before the Utah Court of Appeals seeking review of the Tribunal’s determination that it, *inter alia*, has personal jurisdiction over the Respondent.

Utah Code of Judicial Administration 14-806 provides:

(p) *Appellate Matters and Other Forms of Review*. Out-of-state counsel admitted in a lower tribunal on a case or matter that is appealed must file a notice of appearance in the appellate court or reviewing tribunal. A new application to the Bar is not required.

While Utah Admin. Code R151-4-110(1)(a) and (2) does not contemplate admission by motion and only requires an appearance by out-of-state counsel, Utah Code of Judicial Administration 14-806 appears to contemplate an affirmative admission by the lower tribunal. Therefore, out of abundance of caution, and in order to avoid the delay and expense of filing separate applications for admission pro hac vice with the Utah State Bar, the Respondent filed the Pro Hac Vice Motions so that Pro Hac Vice Counsel may be admitted in the above-captioned proceeding and, accordingly, appear before the Utah Court of Appeals.

The Respondent further requests that the Pro Hac Vice Motions be considered on an expedited basis because the Utah Court of Appeals has set an expedited briefing schedule on the

Respondent's Petition for Extraordinary Relief and Memorandum in Support Thereof (the "Petition"). The Respondent filed the Petition on July 26, 2019, and oppositions to the Petition are due today, August 5, 2019. Therefore, expedited consideration of the Pro Hac Vice Motions is necessary in the event that the Utah Court of Appeals sets a hearing on the Petition, at which Pro Hac Vice Counsel will attend and argue the merits of the Petition on behalf of the Respondent.

Accordingly, the Respondent moves the Tribunal to grant the relief requested herein.

Dated: August 5, 2019

COHNE KINGHORN, P.C.

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DEBEVOISE & PLIMPTON LLP

By: /s/ Maura Kathleen Monaghan
Maura Kathleen Monaghan
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Attorneys for Respondent Kathe Sackler

CERTIFICATE OF SERVICE

I hereby certify that on this the 5th day of August, 2019, I served the above-captioned document on the parties of record in this proceeding set forth below by delivering a copy thereof by hand-delivery, U.S. Mail, electronic means and/or as more specifically designated below, to:

By first class mail, postage prepaid:

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Salt Lake City, UT 84114-6701

Utah Division of Consumer Protection
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PO Box 146704
Salt Lake City, UT 84114-6704

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