

Elisabeth M. McOmber (10615)
Katherine R. Nichols (16711)
Snell & Wilmer L.L.P.
15 West South Temple, Suite 1200
Salt Lake City, Utah 84101
Ph. 801.257.1900
emcomber@swlaw.com

*Attorneys for Respondents Purdue Pharma
L.P., Purdue Pharma Inc., and The Purdue
Frederick Company*

**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, 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.

**OBJECTION TO ADMINISTRATIVE
CITATION AND REQUEST
FOR REVIEW**

DCP Legal File No. CP-2019-005

DCP Case No. 107102

Pursuant to UCA 13-2-6(3)(c), Respondents Purdue Pharma L.P., Purdue Pharma Inc., and The Purdue Frederick Company (“Purdue Respondents”), through counsel, hereby object to the redacted Administrative Citation issued by the Division of Consumer Protection of the Utah Department of Commerce on January 30, 2019 based jurisdictional and other procedural and substantive grounds to be addressed in their anticipated motion to dismiss, and request review of

the Administrative Citation issued by the Division of Consumer Protection of the Utah Department of Commerce on January 30, 2019. This Request for Review is timely submitted within twenty (20) days of issuance of the Administrative Citation.

By submitting this Objection and Request for Review, the Purdue Respondents expressly reserve and do not waive any and all defenses to the Administrative Citation, including defenses based upon lack of proper service, jurisdictional bases, and any and all other defenses, including defenses based upon the Utah State Constitution and/or United States Constitution.

Based upon this Objection and Request for Review, and reserving all rights and defenses, Respondents request that the Agency issue a Notice of Agency Action and commence an informal proceeding in accordance with UCA 63G-4-201 (*see also* UCA 13-2-6(3)(c)).

Dated this 15th day of February, 2019.

SNELL & WILMER L.L.P.

/s/ Elisabeth M. McOmber

Elisabeth M. McOmber

Katherine R. Nichols

*Attorneys for Respondents Purdue Pharma LP,
Purdue Pharma Inc., and the Purdue Frederick
Company*

CERTIFICATE OF SERVICE

I hereby certify that on this the 15th day of February, 2019, I served this Request for Review on the parties of record in this proceeding set forth below by delivering a copy thereof by electronic means and U.S. Mail and/or as more specifically designated below, to:

Bruce L. Dibb, Presiding Officer
Administrative Law Judge
Heber M. Wells Building, 2nd Floor
160 East 300 South
Salt Lake City, Utah 84114
bdibb@utah.gov

Robert G. Wing, AAG
Kevin McLean, AAG
Assistant Attorneys General
Utah Attorney General's Office
160 East 300 South, 5th Floor
PO Box 140872
Salt Lake City, Utah 84114-0872
rgwing@agutah.gov
kmclean@agutah.gov

Patrick E. Johnson
Paul T. Moxley
Cohne Kinghorn, P.C.
111 E. Broadway, 11th Floor
Salt Lake City, Utah 84111
pjohnson@ck.law.com
pmoxley@ck.law.com
Attorneys for Respondents Richard Sackler, M.D. and Kathe Sackler, M.D.

Service via hand delivery upon:

Daniel R. S. O'Bannon – Director
Utah Division of Consumer Protection
160 East 300 South, 2nd Floor
Salt Lake City, Utah 84111

/s/ Elisabeth M. McOmber