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Attorneys for the Utah Division of Consumer Protection

**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.

THE DIVISION OF CONSUMER PROTECTION'S MOTION TO FILE MEMORANDA IN OPPOSITION TO RESPONDENTS' MOTIONS TO DISMISS IN EXCESS OF PAGE LIMITS

DCP Legal File No. CP-2019-005

DCP Case No. 107102

The Division of Consumer Protection (“Division”) respectfully submits this Motion to File Memoranda in Opposition to Respondents’ Motions to Dismiss in Excess of Page Limits, requesting permission to file memoranda in opposition to Respondents’ Motions to Dismiss the Citation and Notice of Agency Action of equivalent length to each of the motions to dismiss.

The Sackler Respondents’ Motion referenced the Utah Rules of Civil Procedure, which contemplate that memoranda supporting or opposing a motion to dismiss will be of equivalent length. *See* Utah R. Civ. P. 7(c) & (d). The Presiding Officer granted the Sackler Respondents’ Ex Parte Motion to File a Motion to Dismiss in Excess of Page Limits in the Utah Rules of Civil Procedure on April 9, 2019, and the Sackler Respondents filed a 42-page Motion to Dismiss the Division’s Citation and Notice of Agency Action the same day. Also on April 9, 2019, Respondents Pharma L.P., Purdue Pharma Inc., The Purdue Frederick Company (collectively, the “Purdue Respondents”) filed a 39-page Motion to Dismiss the Division’s Citation and Notice of Agency Action.

The Division, out of abundance of caution, therefore seeks leave to file an opposition memorandum to each motion of equivalent length. Specifically, the Division respectfully requests leave to file an Opposition of 42-pages or less to the Sackler Respondents’ Motion, and an Opposition of 40-pages or less to the Purdue Respondents’ Motion, respectively (exclusive of tables of content and authorities, signature block, certificate of service and exhibits).

Therefore, the Division, for good cause shown, respectfully requests that motion be granted, and have submitted a proposed order concurrently herewith. The Division has conferred with Respondents, who advise that they consent to this motion.

DATED this 22nd day of April, 2019.

By: /s/ Elizabeth Smith
Elizabeth Smith

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CERTIFICATE OF SERVICE

I certify that I have served or will serve the foregoing document on the parties of record in this proceeding set forth below:

By first class mail, postage prepaid:

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Dated this 22nd day of April, 2019.
