

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.

**SCHEDULING ORDER AND NOTICE OF HEARING**

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

DCP Case No. 107102

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On March 8, 2019, the Division filed a Notice of Agency Action in the above entitled adversary proceeding. A prehearing conference was held on Tuesday, April 23, 2019. All parties were represented by counsel at the prehearing conference.

The Presiding Officer now enters the following Scheduling Order:

1. The parties shall file a proposed and stipulated protective order in this matter by Monday, April 29, 2019.
2. The parties shall make the disclosures required by the Utah Admin. Code R151-4-503(1) by May 7, 2019. The Division shall provide in its disclosures a good faith, but non-binding, listing of the alleged misrepresentations that it claims have been made by the

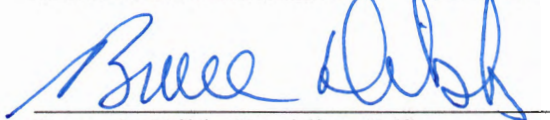
Respondents, as addressed in the Notice of Agency Action in this matter. Nothing provided herein shall preclude the Respondents from further formal discovery on the issue of alleged misrepresentations or shall preclude the Division from making supplemental disclosures of additional alleged misrepresentations as may be revealed by the Division's discovery procedures.

3. By May 21, 2019, each of the parties shall make a good faith effort to prepare an agreed schedule of interviews/depositions of any of the fact witnesses disclosed in the initial disclosures as referred to in the preceding paragraph. Such schedule shall not preclude other persons named in the initial disclosures from being interviewed or deposed at a later date. Further, other witnesses may subsequently be identified by supplemental disclosures, and such witnesses may be subsequently interviewed or deposed within the time limitation set in paragraph 7 below.
4. Any motion to amend the pleadings shall be made by May 29, 2018.
5. The parties shall comply with the provisions of R151-4-504 regarding expert witnesses by July 12, 2019.
6. The parties shall comply with the provisions of R151-4-504 regarding rebuttal expert witnesses by August 20, 2019.
7. The parties shall complete discovery by August 28, 2019.
8. The parties shall exchange final disclosures by August 30, 2019, as provided in Utah Admin. Code R151-4-504(2) and Rule 26(a)(5) URCP. These disclosures are mandatory. A party must make a new written filing to comply with these rules, and may not rely on its initial disclosures under R151-4-503, its supplemental disclosures under R151-4-509 or the disclosures of an opposing party.

9. Any dispositive motions shall be filed no later than September 4, 2019.
10. Any expert witness motions, including Daubert motions, shall be filed by September 9, 2019.
11. Any motions *in limine* unrelated to expert witnesses or their testimony shall be filed by September 11, 2019.
12. The adjudicative hearing shall take place before the presiding officer beginning on Tuesday, October 15, 2019 at 9:00 a.m. in hearing room 403 on the fourth floor of the Heber M. Wells Building. Anticipated hearing time will be fifteen or fewer days. Barring an appropriate motion to the presiding officer based upon extenuating circumstances, and the concurring order of the Executive Director of the Department of Commerce pursuant to U.A.C. R151-4-109(2)(c), the last day of the hearing will be on or before Monday, November 4, 2019.

DATED April 23<sup>rd</sup>, 2019.

UTAH DEPARTMENT OF COMMERCE



Bruce L. Dibb, Presiding Officer

CERTIFICATE OF SERVICE

I hereby certify that I have the 23<sup>rd</sup> day of April, 2019, served the foregoing by email on:

Chris Parker, Acting Director/Presiding Officer  
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