

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 UTAH DEPARTMENT OF COMMERCE**

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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.**

**ORDER GRANTING  
DIVISION'S MOTION FOR LEAVE TO  
SUBMIT OPPOSITIONS TO MOTIONS  
TO DISMISS UNDER SEAL AND TO  
FILE REDACTED PUBLIC VERSIONS**

**DCP Legal File No. CP-2019-005**

**DCP Case No. 107102**

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On January 30, 2019, the Utah Division of Consumer Protection (Division) issued a redacted Administrative Citation against Purdue Pharma L.P., Purdue Pharma Inc., The Purdue Frederick Company, Richard Sackler, and Kathe Sackler (Respondents) alleging violations of the *Utah Consumer Sales Practices Act*, Utah Code § 13-11-1 *et seq.* The Division gained access to certain information in the Administrative Citation only after agreeing to be bound by Case Management Order No. 2: Protective Order, entered *In re: National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio) (the "MDL Protective Order"). Consistent with a February 26, 2019 Order in this action, the Division filed a motion and supporting material explaining that the Notice

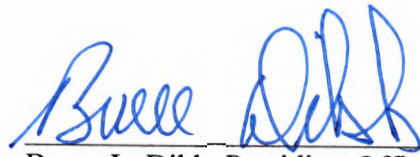
of Agency Action includes the Administrative Citation, which contains information that has been deemed confidential. The Presiding Officer subsequently granted the motion.

On April 8, 2019, Respondents Richard Sackler and Kathe Sackler (the "Sackler Respondents") sought leave to file a motion to dismiss the Administrative Citation, and accompanying exhibits, under seal. The Sackler Respondents asserted that they had obtained from the Purdue Respondents documents and/or information that the Purdue Respondents assert are confidential. On April 9, 2019, the Presiding Officer granted the Sackler Respondents permission to file sealed and redacted versions of their motion to dismiss.

To ensure that the Division can appropriately reference both the Administrative Citation and the contents of the Sackler Respondents' motion to dismiss in its opposition to Respondents' respective Motions to Dismiss the Division's Citation and Notice of Agency Action, and has the opportunity to include any additional documents as exhibits, the Division sought leave to file and serve: (1) an unredacted version of each Opposition under seal, and (2) redacted, public versions of the same.

Based on the Division's motion, and for good cause shown, **IT IS HEREBY ORDERED** that the Division's motion is **GRANTED**. The Division is hereby directed to file and serve: (1) an unredacted version of each Opposition under seal, and (2) redacted, public versions of the same. The Division is directed to serve both the redacted and sealed versions of both oppositions on all parties, following confirmation that all Respondents are bound by an appropriate confidentiality provision. The Division is further directed to include any sealed information or documents referenced in its Opposition in the expedited process to resolve any disputes over confidentiality directed in the Court's Order on the Sackler Respondents' motion seeking leave to file under seal.

Dated this 23<sup>rd</sup> day of April, 2019.

  
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Bruce L. Dobb, 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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