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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.**	**REQUEST FOR APPROVAL FROM THE ADMINISTRATIVE LAW JUDGE TO SERVE REQUEST FOR PRODUCTION OF DOCUMENTS ON RESPONDENTS** **DCP Legal File No. CP-2019-005** **DCP Case No. 107102**

The Utah Division of Consumer Protection, by and through undersigned counsel, and pursuant to Utah Admin. Code R151-4-502, R151-4-505 and R151-4-514, respectfully requests approval from the Administrative Law Judge to serve requests for production of documents upon Respondents Purdue Pharma, L.P., Purdue Pharma, Inc. and The Purdue Frederick Company ("Purdue"), Richard Sackler, and Kathe Sackler. The requests directed to Purdue are attached hereto as Exhibit A, the requests directed to Richard Sackler are attached hereto as Exhibit B, and the requests directed to Kathe Sackler are attached hereto as Exhibit C.

RELEVANT PROCEDURAL HISTORY

1. On January 30, 2019, the Utah Division of Consumer Protection ("Division") issued an Administrative Citation against Purdue Pharma L.P., Purdue Pharma Inc., The Purdue Frederick Company, Dr. Richard Sackler, and Dr. Kathe Sackler (Respondents). On March 8, 2019, the Division issued its Notice of Agency Action. The Notice of Agency Action and Citation allege that the Respondents violated the Utah Consumer Sales Practices Act by disseminating marketing material and messages that overstated the benefits of opioids and understated their risks, and by omitting or concealing material facts.

2. Respondents responded to and filed Motions to Dismiss the Division's Notice of Agency Action and Citation on April 9, 2019 and April 10, 2019. Briefing on the Motions concluded on May 7, 2019.

3. On April 19, 2019 this matter was converted to a formal proceeding. *See* Order on Renewed Motion to Convert Informal Hearing, April 19, 2019.

4. On April 23, 2019, the Administrative Law Judge entered a Scheduling Order and Notice of Hearing setting a hearing date of October 15, 2019. *See* Scheduling Order and Notice of Hearing, April 23, 2019.

DISCUSSION

As set forth in Utah Admin. Code R151-4-502(1), a party may obtain discovery regarding any matter that is: (1) not privileged; (2) is relevant to the subject matter involved in the proceeding; and (3) relates to a claim or defense of the party seeking discovery or another party. Utah Admin. Code R151-4-514(1)(a) further provides that upon approval by the presiding officer, a party may serve on another party a request to produce documents which constitute or contain matters within the scope of R151-4-502(1). However, pursuant to Utah Admin. Code R151-4-514(2), "[b]efore permitting a party to serve a request for production of documents, the presiding officer must first find that the requesting party has demonstrated the records have not already been provided."

The Division's requests for production of documents meet the requirements set forth in Utah Administrative Code R151-4-502(1) and R151-4-514(2). The requests are limited in number and narrowly focused on documents which will provide information regarding Purdue's marketing claims and activities in or relevant to Utah, and Richard and Kathe Sacklers' involvement in and responsibility for Purdue's marketing. As such, the requests are relevant to the subject matter involved in the current proceeding and are directly related to the Division's claims. Furthermore, the documents are not privileged and have not yet been produced to the Division.[1]

For the foregoing reasons, the Division respectfully requests that the Administrative Law Judge grant the Division's request to serve the discovery requests attached hereto as Exhibit A, Exhibit B, and Exhibit C.

[1] The Division has attempted to limit its request to documents regarding or relevant to Utah that, to its knowledge, have not been produced in the MDL. To the extent Purdue has produced responsive documents in the MDL it need only identify such responsive documents by Bates number in its response to the Division's requests.

DATED this 9th day of May, 2019.

SEAN D. REYES
UTAH ATTORNEY GENERAL

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CERTIFICATE OF SERVICE

I certify that on May 9, 2019 I served the foregoing on the parties of record in this proceeding as set forth below:

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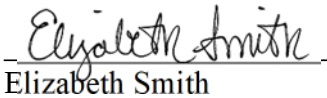
Dated this 9th day of May, 2019.



Elizabeth Smith

EXHIBIT

A

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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.**	**DIVISION'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS TO RESPONDENTS PURDUE PHARMA L.P., PURDUE PHARMA INC., AND THE PURDUE FREDERICK COMPANY** **DCP Legal File No. CP-2019-005** **DCP Case No. 107102**

Pursuant to Utah Department of Commerce Administrative Procedures Act R151-4-505 and R151-4-514, the Division of Consumer Protection ("Division") requests that Respondent Purdue Pharma L.P., Purdue Pharma, Inc., and the Purdue Frederick Company ("Purdue") respond to these requests for Production within the time prescribed by R151-4-514, and produce the following documents, tangible things, and electronically-stored information ("ESI") to the Division, within twenty (20) days of service of these requests or within the time otherwise required by court order or by applicable statute or rule, and continuing from that day until completed.

DEFINITIONS

1. "Any" shall be construed to mean "any and all."

2. "CME" means continuing medical education as defined by the Accreditation Council for Continuing Medical Education or any medical board or society.

3. "Communications" and "Communicated" shall mean and refer to any exchange of information by any means of transmission, sending or receiving of information of any kind by or through any means including, but not limited to, verbal expression, gestures, writings, Documents, language (machine, foreign or otherwise) of any kind, computer electronics, email (whether a personal or corporate e-mail address), SMS, MMS or other "text" messages, messages on "social networking" sites (including, but not limited to, Facebook, Google+, MySpace and Twitter), shared applications from cellular telephones, "smartphones," netbooks and laptops, sound, radio or video signals, telecommunication, telephone, teletype, facsimile, telegram, microfilm or by an other means. "Communications" also shall include, without limitation, all originals and copies of inquiries, discussions, conversations, correspondence, negotiations, agreements, understandings, meetings, notices,

requests, responses, demands, complaints, press, publicity or trade releases and the like that are provided by You or to You by others.

4. "Concerning" or "Regarding" means directly or indirectly mentioning or describing, relating to, referring to, evidencing, setting forth, identifying, memorializing, created in connection with or as a result of, commenting on, embodying, evaluating, analyzing, tracking, reflecting or constituting, in whole or in part, a stated subject matter.

5. "Document" shall include the original or copy of any book, record, report, memorandum, paper, communication, tabulation, map, chart, photograph, mechanical transcription or other tangible Document or recording, in any form or medium whatsoever, including records recorded on computer hard disk drives, tape drives, compact discs or floppy disks of any size or format. "Document" includes metadata, formulae and other embedded, hidden and bibliographic or historical data describing or Concerning any document.

6. "Employee" includes, but is not limited to, all current or former salaried employees, hourly employees, independent contractors and individuals performing work as temporary employees.

7. "Identify" means:

a. With respect to a natural Person, the complete name, any stage name or alias, social security number, date of birth, telephone number, occupation, and street and mailing address for both home and business at the time in question and at the time of responding to a request.

b. With respect to a Document, its identification number, title, date, location, signatory(ies), description (e.g., memorandum, letter, contract, form), and the number of pages; and

c. With respect to a non-natural person, its name, business address, legal address, state(s) of incorporation, registered or unregistered tradename(s), name(s) under which it does business, tax identification number, and the identity of its agent(s) for the

service of process.

8. "Including" is used merely to emphasize that a request for certain types of Documents or information should not be construed as limiting the request in any way.

9. "Key Opinion Leaders" means Prescribers or other medical professionals who are involved in Scientific Research and/or advocacy concerning Opioids, or any individual whom You have identified as such.

10. “Marketing” means efforts to promote the use of Opioids generally, or Butrans, Dilaudid, Hysingla ER, MS Contin and/or OxyContin specifically, including branded and unbranded advertising (via computer networks, websites, television, radio, print, direct mailing, visual displays, audio displays, or through any other means, or any combination thereof), detailing by sales representatives, the use of unbranded and sponsored publications, and CME.

11. "Opioids" means opioid analgesics that are used to treat pain, and applies regardless of indications or limitations for use on the drugs' labels. Opioids includes but is not limited to Butrans, Dilaudid, Hysingla ER, MS Contin and OxyContin.

12. “Opioid Crisis” means the increase in addiction, overdose, opioid use disorder and fatalities attributable to increased opioid use and abuse, as described in President Trump’s Commission on Combatting Drug Addiction and the Opioid Crisis 2017 Report.

13. “Payor” means any health care insurer or administrator covering Utah consumers.

14. "Person" means any natural person or such person's legal representative; entities, including any partnership, domestic or foreign corporation, limited liability company, company, trust, business entity, association, proprietorship, joint venture, governmental agency and other business, legal or government entity; and any agent, Employee, salesman, partner, officer,

director, member, stockholder, associate or trustee thereof.

15. "Prescribers" means doctors, dentists, physician assistants, nurse practitioners, therapists, hospitals, clinics, pharmacists and any other medical personnel who write prescriptions or have the authority to direct or advise others to write prescriptions.

16. "Plans" means Documents or Communications, including presentations, correspondence or other memoranda, setting forth thoughts, positions, approaches, strategies or theories concerning the promotion of Your Opioids or Opioids generally for the treatment of pain, and all drafts thereof "Plans" includes materials created by You as well as materials created by any third parties with whom You have contracted or Communicated, and includes launch plans, publication plans, plans of action, quarterly or annual brand plans or any Documents including competitive marketshare or "SWOT" analysis.

17. "Reformulation" shall mean the version of OxyContin reflected in New Drug Application 02272, and all prototypes or attempts to develop or market an abuse-deterrent version of OxyContin.

18. "Scientific Research" includes studies, investigations, trials, articles, comparisons, case histories, reviews, reports or analyses that are conducted by doctors, researchers or other investigators.

19. “You,” “Your,” and “Purdue” means Purdue Pharma, Inc., Purdue Pharma, LLC., The Purdue Frederick Company, and All owners, officers, agents and Employees thereof, and any predecessor, successor, parent, subsidiary, division, d/b/a and affiliated companies or other entities, including franchisees.

20. The words "and/or," "or" and "and" are used inclusively, not exclusively. As such, "and/or," "or" and "and" should be construed to require the broadest possible response.

21. Use of the present tense shall be construed to include the past tense and vice versa, to make the request inclusive rather than exclusive.

INSTRUCTIONS

1. When providing Your responses, please indicate the Request to which each Document or answer responds in the metadata field, Request No. If You believe that You already have produced documents responsive to any of the Requests below, please specify (by Bates number) which documents in Your previous productions are responsive to which specific Request.

2. Documents shall be produced in accordance with and as they are kept in the usual course of business.

3. For each Document that You produce, produce the current version together with all earlier editions, versions or predecessor Documents during the relevant time period, even though the title of earlier Documents may differ from current versions.

4. Requested format for documents produced electronically in response to this Request:

a. Images. Any documents produced in response to a Request should be provided as a Group 4 compression single-page "TIFF" image that reflects how the source document would have appeared if printed out to a printer attached to a computer viewing the file. Extracted text will be included in the manner provided herein. To the extent that extracted text does not exist, these images will be processed through Optical Character Recognition ("OCR") so that they are fully searchable. Extracted text and OCR should be provided in separate document level text files. "Load files" shall be produced to accompany the images and shall facilitate the use of the litigation support database systems to review the produced images.

b. Document Unitization. Each page of a document shall be electronically converted into an image as described above. If a document is more than one page, the unitization of the document and any attachments and/or

affixed notes shall be maintained as it existed in the original when creating the image file and appropriately designated in the load files. The corresponding parent/attachment relationships, to the extent possible, shall be provided in the load files furnished with each production.

c. Bates Numbering. Each page of a produced document shall have a legible, unique page identifier ("Bates Number") electronically branded onto the image at a location that does not obliterate, conceal or interfere with any information from the source document. In order to ensure that the Bates Numbers do not obscure portions of the documents, the images may be proportionally reduced to create a larger margin in which the Bates Numbers may be branded. There shall be no other legend or stamp placed on the document image, except those sections of a document that are redacted to eliminate material protected from disclosure by the attorney-client or work product privileges, which shall have the legend "REDACTED" placed in the location where the redaction(s) occurred and/or shall otherwise note the location of the information for which such protections are claimed.

d. File Naming Conventions. Each document image file shall be named with the unique Bates Numbers of the page of the document in the case of single-page TIFFs, followed by the extension "TIF." Each document shall be named with a unique document identifier. Attachments shall have their own unique document identifiers.

e. Production Media. Documents should be produced on CD-ROM, DVD or external hard drive (with standard Windows PC compatible interface) (the "Production Media"). Each piece of Production Media shall identify a production number corresponding to the production "wave" the documents with which the Production Media are associated (e.g., "V001", "V002"), as well as the volume of the material in that production wave (e.g., "-001", "-002"). For example, if the first production wave comprises document images on three hard drives, the Respondent shall label each hard drive in the following manner: "V001-001," "V001-002," "V001-003." Additional information that shall be identified on the physical Production Media shall include: (i) text referencing that it was produced in DCP No. 107102; (ii) the producing party's name; (iii) the production date; and (4) the Bates Numbers range of the materials contained on the Production Media.

f. Objective Coding/Extracted Meta Data. Defendants shall produce with each production of documents with the extracted metadata for each document (the "Objective Coding") included in the load file.

g. Native Format for Excel and Databases. To the extent that such documents exist in Excel or another spreadsheet program, produce the document in its native format. To the extent that the document format constitutes a database created or maintained in Access or another software program, produce the document in its native format. If the database is based upon proprietary software, produce whatever keys and instructions are necessary to review it.

5. Requested format for hard copies of documents produced in response to this Request:

a. Create electronic copies of the documents, provided that You retain the originals from which the electronic copies were made until the final disposition of this matter;

b. Include a load file with corresponding information, including the following data fields: BegDoc, EndDoc, Custodian, DocTitle, Filename, Request No.;

c. The Custodian field in the load file should contain the name of the custodian or location from which the hard copy document was taken;

d. The Request No. field should contain the number of the Requests to which the document is responsive; and

e. This Request requires You to produce all described Documents in Your possession, custody or control without regard to the person or persons by whom or for whom the Documents were prepared (e.g., Your employees, distributors or dealers, competitors or others).

6. If any responsive Document was, but no longer is, in Your possession, custody or control, produce a description of each such Document. The description shall include the following:

a. The name of each author, sender, creator and initiator of such Document;

b. The name of each recipient, addressee or party for whom such Document was intended;

c. The date the Document was created;

d. The date(s) the Document was in use;

e. The title of the Document;

f. A detailed description of the contents of the Document;

g. The reason the Document is no longer in Your possession, custody or control; and

h. The Document's present whereabouts and custodian thereof

7. In the event a Document that is responsive to these Requests is not in Your possession but You have a right to obtain the Document or a copy of the Document from a third party, You must obtain it (or a copy) and produce it in response to these Requests.

8. If the Document is no longer in existence, in addition to providing the information indicated above, state on whose instructions the Document was destroyed or otherwise disposed of, and the date and manner of the disposal.

9. If You assert a privilege in responding to a Request, state the type of privilege asserted and the basis for its assertion. In addition, identify the Communication or Document with respect to which the privilege is asserted. For any document to which a privilege is asserted, state:

a. The type of Document (e.g., letter, memorandum, contract, etc.), the date of the Document, and the subject matter of the same;

b. The name, address and position of the author of the Document and of any person who assisted in its preparation;

c. The name, address and position of each addressee or recipient of the Document or any copies thereof;

d. The present location of the document and the identity of the person having custody thereof

10. In the event that a Document contains both privileged and non-privileged material, the non-privileged material must be disclosed to the fullest extent possible without thereby disclosing the privileged material. If a privilege is asserted with regard to part of the material contained in a Document, the party claiming the privilege must clearly indicate the portions as to which the privilege is claimed. When a Document has been redacted or altered in any

fashion, identify as to each Document the reason for the redaction or alteration, the date of the redaction or alteration, and the Person performing the redaction or alteration. Any redaction must be clearly visible on the redacted Document.

11. Produce Documents in the order in which You maintained them in Your files, in copies of their original file folders, labeled with the folder's original file labels. Do not mask any portion of any Document; produce the entire Document. Produce all attachments to responsive Documents attached to the responsive Documents. Provide a key to all abbreviations used in Documents and attach the key to the appropriate Documents.

12. If production of any requested Document(s) is objected to on the grounds that production is unduly burdensome, describe the burden or expense of the proposed discovery.

13. If You obtain information or Documents responsive to any Request after You have submitted Your written responses or production, You have an affirmative duty to supplement Your responses and/or production with any new and or different information and/or Documents that become available to You.

14. Before using software or technology (including search terms, predictive coding, de-duplication or similar technologies) to identify or eliminate documents, data or information potentially responsive to this Request, You must submit a written description of the method(s) used to conduct any part of Your search. In addition, for any process that relies on search terms to identify or eliminate documents, You must submit: (a) a list of proposed terms; (b) a tally of all the terms that appear in the collection and the frequency of each term; (c) a list of stop words and operators for the platform being used; and (d) a glossary of industry and company terminology. For any process that relies on predictive coding to identify or eliminate documents, You must include: (a) confirmation that subject-matter experts will be reviewing

the seed set and training rounds; (b) recall, precision and confidence-level statistics (or an equivalent); and (c) a validation process that allows for review of statistically-significant samples of documents categorized as non-responsive documents by the algorithm.

SCOPE

Except where otherwise indicated, this Request for Production of Documents covers the period from January 1, 1996 up to and including the present.

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1: All Documents, including call notes (to the extent not previously produced to the Division) and Your Phoenix database, reflecting all visits by sales representatives made on Your behalf in the State of Utah and the materials they Provided to any Utah Prescriber. This includes, but is not limited to, all call notes and ride-along or observation reports and audits of call notes for sales representatives that visited Prescribers, pharmacies, or Payors in Utah.

REQUEST FOR PRODUCTION NO. _2: All Documents and Communications Concerning Your sales representatives, district managers, and compliance personnel with responsibilities located in or including part or all of the State of for Utah, including complete personnel and custodial files and compensation for each individual.

REQUEST FOR PRODUCTION NO. _3: All Documents and Communications about suspicious prescribing of opioids in Utah, including without limitation all Communications about "Region Zero" or "No Call" prescribers in Utah, and any reports of concern or other Communications concerning red flags of diversion of Opioids in Utah.

REQUEST FOR PRODUCTION NO. _4: All Marketing materials, letters, sales or visual aids, websites, video programs, CMEs, slide decks, presentations, journal ads or supplements, studies, or other materials You distributed to or made available to Utah Prescribers, pharmacists, Payors, or consumers , including but not limited to materials concerning or regarding the use of opioids or Your opioids for any form of arthritis, for the elderly, for non opioid-tolerant patients or as a first-line therapy, with other agents that depress respiration, for acute pain, for the first 12-24 hours following surgery and/or for post-operative use, or for mild pain; or that describe opioids or Your opioids as "steady state" or having fewer "peaks and valleys," as causing an improvement of quality of life or an increase in mood, functions, and sleep, as not having a ceiling dose, or as safer than NSAIDS.

REQUEST FOR PRODUCTION NO. _-5: All Documents Concerning or reflecting the targeting or ranking of, or return from, Prescribers in Utah, or the types of Prescribers, patients, or conditions You targeted in Utah for the Marketing of Your Opioids.

REQUEST FOR PRODUCTION NO. -6: All Documents and Communications concerning or reflecting payments to, communications with, or work product produced by Key Opinion Leaders, lobbyists, professional associations, or patient advocacy groups in Utah.

REQUEST FOR PRODUCTION NO. 7: All Documents Concerning or reflecting Communications between You and the State of Utah, including any of its agencies or personnel.

REQUEST FOR PRODUCTION NO. 8: All Documents Concerning or reflecting Communications between You and any federal government regulatory or law enforcement agency regarding your business in the State of Utah, including but not limited to the Food Drug Administration and the Drug Enforcement Administration.

REQUEST FOR PRODUCTION NO. 9: All Documents and Communications Concerning or reflecting adverse events in Utah concerning the use or distribution of Your Opioids, including overdoses, addiction, abuse, misuse, diversion, tampering with reformulated OxyContin, the transition to heroin, increases in fentanyl use, and/or the use of OxyContin more frequently than every 12-hours.

REQUEST FOR PRODUCTION NO. 10: All Documents and Communications reflecting Your efforts to monitor and influence the media coverage or laws and regulations Concerning Your Opioids, including all crisis management and government relations or lobbying plans; Communications with and about media coverage of You, Your Opioids, or the Sackler family nationally and/or in Utah; Communications with and about legislative initiatives or rules Concerning or affecting the use or coverage of Opioids, advertisements, websites, and other announcements; and outreach to the media or to officials in Congress, federal agencies, or Utah officials Concerning Your efforts to address, mitigate, or abate the impact of Your Opioids or to describe the benefits of Your Opioids.

REQUEST FOR PRODUCTION NO. 11: All Documents and Communications Concerning, or reflecting the total number of prescriptions of each of Your Opioids in Utah by year and by product, dosage, quantity, and duration of use (or number of refills).

REQUEST FOR PRODUCTION NO. 12: All documents and communications Concerning or reflecting the amount of your promotional spending in Utah each year, including but not limited to in the following categories: compensation (including bonuses) for sales representatives, publications/materials, events/conferences, grants, gifts to health care providers, lobbyists and consultants; and including any documents and communications estimating the share of your regional or national expense attributed to promotional spending in Utah.

REQUEST FOR PRODUCTION NO. 13: All documents and communications concerning, reflecting, or identifying each program, conference, or other event You held, sponsored, participated in, or presented at in Utah each year; All Utah health care providers, pharmacists, Payors, and consumers who attended each event; the name and subject matter of all lectures, programs, or presentations at each event; and all materials that were distributed or shown at each event.

REQUEST FOR PRODUCTION NO. 14: All documents and communications Concerning, reflecting, or identifying the number of contacts You made with health care providers, pharmacists, and Payors in Utah by year, the number of each visual aid or publication You distributed in Utah by year (by publication), and the number of visits to Your branded and unbranded websites and CME programs associated with a Utah address (by website).

DATED this ___ day of May, 2019.

SEAN D. REYES
UTAH ATTORNEY GENERAL

By: _____
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Counsel for the Division

CERTIFICATE OF SERVICE

I certify that on May __, 2019 I served the foregoing on the parties of record in this proceeding as set forth below:

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Dated this ___ day of May, 2019.

_____

EXHIBIT

B

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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.**	**DIVISION'S FIRST SET OF REQUESTS FOR PRODUCTION TO RESPONDENT RICHARD SACKLER, M.D.** **DCP Legal File No. CP-2019-005** **DCP Case No. 107102**

Pursuant to Utah Department of Commerce Administrative Procedures Act R151-4-505 and R151-4-514, the Division of Consumer Protection ("Division") requests that Respondent Richard Sackler, M.D., respond to these requests for Production within the time prescribed by R151-4-514, and produce the following documents, tangible things, and electronically-stored information ("ESI") to the Division, within twenty (20) days of service of these Requests for Production ("Requests") or within the time otherwise required by court order or by applicable statute or rule, and continuing from that day until completed.

DEFINITIONS

1. "Any" shall be construed to mean "any and all."

2. "CME" means continuing medical education as defined by the Accreditation Council for Continuing Medical Education or any medical board or society.

3. "Communications" and "Communicated" shall mean and refer to any exchange of information by any means of transmission, sending or receiving of information of any kind by or through any means including, but not limited to, verbal expression, gestures, writings, Documents, language (machine, foreign or otherwise) of any kind, computer electronics, email (whether a personal or corporate e-mail address), SMS, MMS or other "text" messages, messages on "social networking" sites (including, but not limited to, Facebook, Google+, MySpace and Twitter), shared applications from cellular telephones, "smartphones," netbooks and laptops, sound, radio or video signals, telecommunication, telephone, teletype, facsimile, telegram, microfilm or by an other means. "Communications" also shall include, without limitation, all originals and copies of inquiries, discussions, conversations, correspondence, negotiations, agreements, understandings, meetings, notices,

requests, responses, demands, complaints, press, publicity or trade releases and the like that are provided by You or to You by others.

5. "Concerning" or "Regarding" means directly or indirectly mentioning or describing, relating to, referring to, evidencing, setting forth, identifying, memorializing, created in connection with or as a result of, commenting on, embodying, evaluating, analyzing, tracking, reflecting or constituting, in whole or in part, a stated subject matter.

6. "Document" shall include the original or copy of any book, record, report, memorandum, paper, communication, tabulation, map, chart, photograph, mechanical transcription or other tangible Document or recording, in any form or medium whatsoever, including records recorded on computer hard disk drives, tape drives, compact discs or floppy disks of any size or format. "Document" includes metadata, formulae and other embedded, hidden and bibliographic or historical data describing or relating to any document.

7. "Employee" includes, but is not limited to, all current or former salaried employees, hourly employees, independent contractors and individuals performing work as temporary employees.

8. "Identify" means:

a. With respect to a natural Person, the complete name, any stage name or alias, social security number, date of birth, telephone number, occupation, and street and mailing address for both home and business at the time in question and at the time of responding to a request.

b. With respect to a Document, its identification number, title, date, location, signatory(ies), description (e.g., memorandum, letter, contract, form), and the number of pages; and

c. With respect to a non-natural person, its name, business address, legal address, state(s) of incorporation, registered or unregistered tradename(s), name(s) under which it does business, tax identification number, and the identity of its agent(s) for the

service of process.

9. "Including" is used merely to emphasize that a request for certain types of Documents or information should not be construed as limiting the request in any way.

10. “Marketing” means efforts to promote the use of Opioids generally, or Butrans, Dilaudid, Hysingla ER, MS Contin and/or OxyContin specifically, including branded and unbranded advertising (via computer networks, websites, television, radio, print, direct mailing, visual displays, audio displays, or through any other means, or any combination thereof), detailing by sales representatives, the use of unbranded and sponsored publications, and CME.

11. "Opioids" means opioid analgesics that are used to treat pain, and applies regardless of indications or limitations for use on the drugs' labels. Opioids includes but is not limited to Butrans, Dilaudid, Hysingla ER, MS Contin and OxyContin.

12. "Person" means any natural person or such person's legal representative; entities, including any partnership, domestic or foreign corporation, limited liability company, company, trust, business entity, association, proprietorship, joint venture, governmental agency and other business, legal or government entity; and any agent, Employee, salesman, partner, officer, director, member, stockholder, associate or trustee thereof.

13. “Purdue” shall mean Purdue Pharma L.P., Purdue Pharma, Inc., and The Purdue Frederick Company, and all affiliated entities, including any predecessor, successor, domestic or foreign parent, wholly or partially owned subsidiary, division, d/b/a, partnership and joint venture thereof. “Purdue” also shall be deemed to include all owners, officers, agents and employees of such entities, and other persons acting or authorized to act on their behalf.

14. “Purdue Opioid” means any Opioid manufactured, marketed, or sold by Purdue.

15. "You" and "Your" shall mean Richard Sackler, M.D.

16. The words "and/or," "or" and "and" are used inclusively, not exclusively. As such, "and/or," "or" and "and" should be construed to require the broadest possible response.

17. Use of the present tense shall be construed to include the past tense and vice versa, to make the request inclusive rather than exclusive.

SCOPE

Except where otherwise indicated, these Requests for Production cover the period from January 1, 1996 up to and including the present.

INSTRUCTIONS

1. When providing Your responses, please indicate the Request to which each Document or answer responds in the metadata field, by Request No. If You believe that You or another Respondent already have produced documents responsive to any of the Requests below, please specify (by Bates number) which documents in which previous production(s) are responsive to which specific Request.

2. Documents shall be produced in accordance with and as they are kept in the usual course of business.

3. For each Document that You produce, produce the current version together with all earlier editions, versions or predecessor Documents during the relevant time period, even though the title of earlier Documents may differ from current versions.

4. Requested format for documents produced electronically in response to these Requests:

a. Images. Any documents produced in response to a Request should be provided as a Group 4 compression single-page "TIFF" image that reflects how the source document would have appeared if printed out to a printer

attached to a computer viewing the file. Extracted text will be included in the manner provided herein. To the extent that extracted text does not exist, these images will be processed through Optical Character Recognition ("OCR") so that they are fully searchable. Extracted text and OCR should be provided in separate document level text files. "Load files" shall be produced to accompany the images and shall facilitate the use of the litigation support database systems to review the produced images.

b. Document Unitization. Each page of a document shall be electronically converted into an image as described above. If a document is more than one page, the unitization of the document and any attachments and/or affixed notes shall be maintained as it existed in the original when creating the image file and appropriately designated in the load files. The corresponding parent/attachment relationships, to the extent possible, shall be provided in the load files furnished with each production.

c. Bates Numbering. Each page of a produced document shall have a legible, unique page identifier ("Bates Number") electronically branded onto the image at a location that does not obliterate, conceal or interfere with any information from the source document. In order to ensure that the Bates Numbers do not obscure portions of the documents, the images may be proportionally reduced to create a larger margin in which the Bates Numbers may be branded. There shall be no other legend or stamp placed on the document image, except those sections of a document that are redacted to eliminate material protected from disclosure by the attorney-client or work product privileges, which shall have the legend "REDACTED" placed in the location where the redaction(s) occurred and/or shall otherwise note the location of the information for which such protections are claimed.

d. File Naming Conventions. Each document image file shall be named with the unique Bates Numbers of the page of the document in the case of single-page TIFFs, followed by the extension "TIF." Each document shall be named with a unique document identifier. Attachments shall have their own unique document identifiers.

e. Production Media. Documents should be produced on CD-ROM, DVD or external hard drive (with standard Windows PC compatible interface) (the "Production Media"). Each piece of Production Media shall identify a production number corresponding to the production "wave" the documents with which the Production Media are associated (e.g., "V001", "V002"), as well as the volume of the material in that production wave (e.g., "-001", "-002"). For example, if the first production wave comprises document images on three hard drives, the Respondent shall

label each hard drive in the following manner: "V001-001," "V001-002," "V001-003." Additional information that shall be identified on the physical Production Media shall include: (i) text referencing that it was produced in DCP No. 107102; (ii) the producing party's name; (iii) the production date; and (4) the Bates Numbers range of the materials contained on the Production Media.

f. Objective Coding/Extracted Meta Data. Defendants shall produce with each production of documents with the extracted metadata for each document (the "Objective Coding") included in the load file.

g. Native Format for Excel and Databases. To the extent that such documents exist in Excel or another spreadsheet program, produce the document in its native format. To the extent that the document format constitutes a database created or maintained in Access or another software program, produce the document in its native format. If the database is based upon proprietary software, produce whatever keys and instructions are necessary to review it.

5. Requested format for hard copies of documents produced in response to these Request:

a. Create electronic copies of the documents, provided that You retain the originals from which the electronic copies were made until the final disposition of this matter;

b. Include a load file with corresponding information, including the following data fields: BegDoc, EndDoc, Custodian, DocTitle, Filename, Request No.;

c. The Custodian field in the load file should contain the name of the custodian or location from which the hard copy document was taken;

d. The Request No. field should contain the number of the Request for Production to which the document is responsive; and

e. These Requests for Production require You to produce all described Documents in Your possession, custody or control without regard to the person or persons by whom or for whom the Documents were prepared (e.g., Your employees, distributors or dealers, competitors or others).

6. If any responsive Document was, but no longer is, in Your possession, custody or control, produce a description of each such Document. The description shall include the following:

a. The name of each author, sender, creator and initiator of such Document;

b. The name of each recipient, addressee or party for whom such Document was intended;

c. The date the Document was created;

d. The date(s) the Document was in use;

e. The title of the Document;

f. A detailed description of the contents of the Document;

g. The reason the Document is no longer in Your possession, custody or control; and

h. The Document's present whereabouts and custodian thereof

7. In the event a Document that is responsive to these Requests is not in Your possession but You have a right to obtain the Document or a copy of the Document from a third party, You must obtain it (or a copy) and produce it in response to these Requests.

8. If the Document is no longer in existence, in addition to providing the information indicated above, state on whose instructions the Document was destroyed or otherwise disposed of, and the date and manner of the disposal.

9. If You assert a privilege in responding to a Request, state the type of privilege asserted and the basis for its assertion. In addition, identify the Communication or Document with respect to which the privilege is asserted. For any document to which a privilege is asserted, state:

a. The type of Document (e.g., letter, memorandum, contract, etc.), the date of the Document, and the subject matter of the same;

b. The name, address and position of the author of the Document and of any person who assisted in its preparation;

c. The name, address and position of each addressee or recipient of the Document or any copies thereof;

d. The present location of the document and the identity of the person having custody thereof

10. In the event that a Document contains both privileged and non-privileged material, the non-privileged material must be disclosed to the fullest extent possible without thereby disclosing the privileged material. If a privilege is asserted with regard to part of the material contained in a Document, the party claiming the privilege must clearly indicate the portions as to which the privilege is claimed. When a Document has been redacted or altered in any fashion, identify as to each Document the reason for the redaction or alteration, the date of the redaction or alteration, and the Person performing the redaction or alteration. Any redaction must be clearly visible on the redacted Document.

11. Produce Documents in the order in which You maintained them in Your files, in copies of their original file folders, labeled with the folder's original file labels. Do not mask any portion of any Document; produce the entire Document. Produce all attachments to responsive Documents attached to the responsive Documents. Provide a key to all abbreviations used in Documents and attach the key to the appropriate Documents.

12. If production of any requested Document(s) is objected to on the grounds that production is unduly burdensome, describe the burden or expense of the proposed discovery.

13. If You obtain information or Documents responsive to any Request after You have submitted Your production, You have an affirmative duty to supplement Your responses and/or production with any new and or different information and/or Documents that become available to You.

14. Before using software or technology (including search terms, predictive coding, de-duplication or similar technologies) to identify or eliminate documents, data or information potentially responsive to these Requests, You must submit a written description of the method(s)

used to conduct any part of Your search. In addition, for any process that relies on search terms to identify or eliminate documents, You must submit: (a) a list of proposed terms; (b) a tally of all the terms that appear in the collection and the frequency of each term; (c) a list of stop words and operators for the platform being used; and (d) a glossary of industry and company terminology. For any process that relies on predictive coding to identify or eliminate documents, You must include: (a) confirmation that subject-matter experts will be reviewing the seed set and training rounds; (b) recall, precision and confidence-level statistics (or an equivalent); and (c) a validation process that allows for review of statistically-significant samples of documents categorized as non-responsive documents by the algorithm.

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1: Provide all Documents and Communications not already produced in *In re: Nat'l Prescription Opiate Litig.*, Case No. 1:17-MD-2804 (DAP) (N.D. Ohio) ("MDL"), regarding or reflecting your knowledge, involvement, or oversight of the marketing, sales, or compliance related to Purdue's Opioids.

REQUEST FOR PRODUCTION NO. 2: Provide All Documents and Communications related to Your hiring, application, selection, promotion, compensation, performance, resignation, or departure from any position, including any position as an Employee, executive, consultant, or member of any Board of Directors, of any Purdue entity.

REQUEST FOR PRODUCTION NO. 3: Provide All Documents and Communications between You and Purdue Concerning changes, or potential changes, to ownership of Purdue or drugs manufactured, marketed, or sold by Purdue, including Documents and Communications Concerning who should own Purdue, whether to sell Purdue, any restructuring of Purdue, the

establishment of Rhodes Pharmaceuticals, L.P. ("Rhodes"), and whether Rhodes or Purdue would manufacturer, market, or sell any drugs.

REQUEST FOR PRODUCTION NO. 4: Provide All Documents and Communications Concerning compensation of any Purdue Employee, Board member, or consultant, including All Documents reflecting Your duties, activities, or knowledge related to compensation and sales incentives at Purdue.

REQUEST FOR PRODUCTION NO. 5: All Documents and Communications Concerning, or reflecting financial or equitable transfers received by You from Purdue or any Purdue entity in which You hold a beneficial or ownership interest.

REQUEST FOR PRODUCTION NO. 6: All Documents and Communications Concerning, describing, or reflecting all steps You took or directed as a director, officer, or employee of Purdue to correct any marketing misrepresentation or to disclose or limit the abuse, misuse, diversion, or injury from Purdue's Opioids.

DATED this ___ day of May, 2019

SEAN D. REYES
UTAH ATTORNEY GENERAL

By: _____
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Robert G. Wing (4445)
Assistant Attorneys General

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Counsel for the Division

CERTIFICATE OF SERVICE

I certify that on May ___, 2019 I served the foregoing on the parties of record in this proceeding as set forth below:

By electronic mail:

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Ben Albert
balbert@jha.com

Dated this 9th day of May, 2019

_____

EXHIBIT C

Robert G. Wing (4445) Kevin M. McLean (16101) Assistant Attorneys General SEAN D. REYES (7969) Utah Attorney General Utah Attorney General's Office 160 East 300 South, 5th Floor PO Box 140872 Salt Lake City, UT 84114-0872 Ph. (801) 366-0310 rgwing@agutah.gov kmclean@agutah.gov	Linda Singer Elizabeth Smith Lisa Saltzburg Motley Rice LLC 401 9th St. NW, Suite 1001 Washington, DC 20004 Ph. (202) 386-9627 lsinger@motleyrice.com esmith@motleyrice.com lsaltzburg@motleyrice.com	Matthew McCarley Majed Nachawati Misty Farris Ann Saucer Jonathan Novak Fears Nachawati, PLLC 5473 Blair Road Dallas, Texas 75231 Ph. (214) 890-0711 mccarley@fnlawfirm.com mn@fnlawfirm.com mfarris@fnlawfirm.com asaucer@fnlawfirm.com jnovak@fnlawfirm.com

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.**	**DIVISION'S FIRST SET OF REQUESTS FOR PRODUCTION TO RESPONDENT KATHE SACKLER, M.D.** **DCP Legal File No. CP-2019-005** **DCP Case No. 107102**

Pursuant to Utah Department of Commerce Administrative Procedures Act R151-4-505 and R151-4-514, the Division of Consumer Protection ("Division") requests that Respondent Kathe Sackler, M.D., respond to these requests for Production within the time prescribed by R151-4-514, and produce the following documents, tangible things, and electronically-stored information ("ESI") to the Division, within twenty (20) days of service of these Requests for Production ("Requests") or within the time otherwise required by court order or by applicable statute or rule, and continuing from that day until completed.

DEFINITIONS

1. "Any" shall be construed to mean "any and all."

2. "CME" means continuing medical education as defined by the Accreditation Council for Continuing Medical Education or any medical board or society.

3. "Communications" and "Communicated" shall mean and refer to any exchange of information by any means of transmission, sending or receiving of information of any kind by or through any means including, but not limited to, verbal expression, gestures, writings, Documents, language (machine, foreign or otherwise) of any kind, computer electronics, email (whether a personal or corporate e-mail address), SMS, MMS or other "text" messages, messages on "social networking" sites (including, but not limited to, Facebook, Google+, MySpace and Twitter), shared applications from cellular telephones, "smartphones," netbooks and laptops, sound, radio or video signals, telecommunication, telephone, teletype, facsimile, telegram, microfilm or by an other means. "Communications" also shall include, without limitation, all originals and copies of inquiries, discussions, conversations, correspondence, negotiations, agreements, understandings, meetings, notices,

requests, responses, demands, complaints, press, publicity or trade releases and the like that are provided by You or to You by others.

5. "Concerning" or "Regarding" means directly or indirectly mentioning or describing, relating to, referring to, evidencing, setting forth, identifying, memorializing, created in connection with or as a result of, commenting on, embodying, evaluating, analyzing, tracking, reflecting or constituting, in whole or in part, a stated subject matter.

6. "Document" shall include the original or copy of any book, record, report, memorandum, paper, communication, tabulation, map, chart, photograph, mechanical transcription or other tangible Document or recording, in any form or medium whatsoever, including records recorded on computer hard disk drives, tape drives, compact discs or floppy disks of any size or format. "Document" includes metadata, formulae and other embedded, hidden and bibliographic or historical data describing or relating to any document.

7. "Employee" includes, but is not limited to, all current or former salaried employees, hourly employees, independent contractors and individuals performing work as temporary employees.

8. "Identify" means:

a. With respect to a natural Person, the complete name, any stage name or alias, social security number, date of birth, telephone number, occupation, and street and mailing address for both home and business at the time in question and at the time of responding to a request.

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c. With respect to a non-natural person, its name, business address, legal address, state(s) of incorporation, registered or unregistered tradename(s), name(s) under which it does business, tax identification number, and the identity of its agent(s) for the

service of process.

9. "Including" is used merely to emphasize that a request for certain types of Documents or information should not be construed as limiting the request in any way.

10. “Marketing” means efforts to promote the use of Opioids generally, or Butrans, Dilaudid, Hysingla ER, MS Contin and/or OxyContin specifically, including branded and unbranded advertising (via computer networks, websites, television, radio, print, direct mailing, visual displays, audio displays, or through any other means, or any combination thereof), detailing by sales representatives, the use of unbranded and sponsored publications, and CME.

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12. "Person" means any natural person or such person's legal representative; entities, including any partnership, domestic or foreign corporation, limited liability company, company, trust, business entity, association, proprietorship, joint venture, governmental agency and other business, legal or government entity; and any agent, Employee, salesman, partner, officer, director, member, stockholder, associate or trustee thereof.

13. “Purdue” shall mean Purdue Pharma L.P., Purdue Pharma, Inc., and The Purdue Frederick Company, and all affiliated entities, including any predecessor, successor, domestic or foreign parent, wholly or partially owned subsidiary, division, d/b/a, partnership and joint venture thereof. “Purdue” also shall be deemed to include all owners, officers, agents and employees of such entities, and other persons acting or authorized to act on their behalf.

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15. "You" and "Your" shall mean Kathe Sackler, M.D.

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SCOPE

Except where otherwise indicated, these Requests for Production cover the period from January 1, 1996 up to and including the present.

INSTRUCTIONS

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4. Requested format for documents produced electronically in response to these Requests:

a. Images. Any documents produced in response to a Request should be provided as a Group 4 compression single-page "TIFF" image that reflects how the source document would have appeared if printed out to a printer

attached to a computer viewing the file. Extracted text will be included in the manner provided herein. To the extent that extracted text does not exist, these images will be processed through Optical Character Recognition ("OCR") so that they are fully searchable. Extracted text and OCR should be provided in separate document level text files. "Load files" shall be produced to accompany the images and shall facilitate the use of the litigation support database systems to review the produced images.

b. Document Unitization. Each page of a document shall be electronically converted into an image as described above. If a document is more than one page, the unitization of the document and any attachments and/or affixed notes shall be maintained as it existed in the original when creating the image file and appropriately designated in the load files. The corresponding parent/attachment relationships, to the extent possible, shall be provided in the load files furnished with each production.

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label each hard drive in the following manner: "V001-001," "V001-002," "V001-003." Additional information that shall be identified on the physical Production Media shall include: (i) text referencing that it was produced in DCP No. 107102; (ii) the producing party's name; (iii) the production date; and (4) the Bates Numbers range of the materials contained on the Production Media.

f. Objective Coding/Extracted Meta Data. Defendants shall produce with each production of documents with the extracted metadata for each document (the "Objective Coding") included in the load file.

g. Native Format for Excel and Databases. To the extent that such documents exist in Excel or another spreadsheet program, produce the document in its native format. To the extent that the document format constitutes a database created or maintained in Access or another software program, produce the document in its native format. If the database is based upon proprietary software, produce whatever keys and instructions are necessary to review it.

5. Requested format for hard copies of documents produced in response to these Request:

a. Create electronic copies of the documents, provided that You retain the originals from which the electronic copies were made until the final disposition of this matter;

b. Include a load file with corresponding information, including the following data fields: BegDoc, EndDoc, Custodian, DocTitle, Filename, Request No.;

c. The Custodian field in the load file should contain the name of the custodian or location from which the hard copy document was taken;

d. The Request No. field should contain the number of the Request for Production to which the document is responsive; and

e. These Requests for Production require You to produce all described Documents in Your possession, custody or control without regard to the person or persons by whom or for whom the Documents were prepared (e.g., Your employees, distributors or dealers, competitors or others).

6. If any responsive Document was, but no longer is, in Your possession, custody or control, produce a description of each such Document. The description shall include the following:

a. The name of each author, sender, creator and initiator of such Document;

b. The name of each recipient, addressee or party for whom such Document was intended;

c. The date the Document was created;

d. The date(s) the Document was in use;

e. The title of the Document;

f. A detailed description of the contents of the Document;

g. The reason the Document is no longer in Your possession, custody or control; and

h. The Document's present whereabouts and custodian thereof

7. In the event a Document that is responsive to these Requests is not in Your possession but You have a right to obtain the Document or a copy of the Document from a third party, You must obtain it (or a copy) and produce it in response to these Requests.

8. If the Document is no longer in existence, in addition to providing the information indicated above, state on whose instructions the Document was destroyed or otherwise disposed of, and the date and manner of the disposal.

9. If You assert a privilege in responding to a Request, state the type of privilege asserted and the basis for its assertion. In addition, identify the Communication or Document with respect to which the privilege is asserted. For any document to which a privilege is asserted, state:

a. The type of Document (e.g., letter, memorandum, contract, etc.), the date of the Document, and the subject matter of the same;

b. The name, address and position of the author of the Document and of any person who assisted in its preparation;

c. The name, address and position of each addressee or recipient of the Document or any copies thereof;

d. The present location of the document and the identity of the person having custody thereof

10. In the event that a Document contains both privileged and non-privileged material, the non-privileged material must be disclosed to the fullest extent possible without thereby disclosing the privileged material. If a privilege is asserted with regard to part of the material contained in a Document, the party claiming the privilege must clearly indicate the portions as to which the privilege is claimed. When a Document has been redacted or altered in any fashion, identify as to each Document the reason for the redaction or alteration, the date of the redaction or alteration, and the Person performing the redaction or alteration. Any redaction must be clearly visible on the redacted Document.

11. Produce Documents in the order in which You maintained them in Your files, in copies of their original file folders, labeled with the folder's original file labels. Do not mask any portion of any Document; produce the entire Document. Produce all attachments to responsive Documents attached to the responsive Documents. Provide a key to all abbreviations used in Documents and attach the key to the appropriate Documents.

12. If production of any requested Document(s) is objected to on the grounds that production is unduly burdensome, describe the burden or expense of the proposed discovery.

13. If You obtain information or Documents responsive to any Request after You have submitted Your production, You have an affirmative duty to supplement Your responses and/or production with any new and or different information and/or Documents that become available to You.

14. Before using software or technology (including search terms, predictive coding, de-duplication or similar technologies) to identify or eliminate documents, data or information potentially responsive to these Requests, You must submit a written description of the method(s)

used to conduct any part of Your search. In addition, for any process that relies on search terms to identify or eliminate documents, You must submit: (a) a list of proposed terms; (b) a tally of all the terms that appear in the collection and the frequency of each term; (c) a list of stop words and operators for the platform being used; and (d) a glossary of industry and company terminology. For any process that relies on predictive coding to identify or eliminate documents, You must include: (a) confirmation that subject-matter experts will be reviewing the seed set and training rounds; (b) recall, precision and confidence-level statistics (or an equivalent); and (c) a validation process that allows for review of statistically-significant samples of documents categorized as non-responsive documents by the algorithm.

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1: Provide all Documents and Communications not already produced in *In re: Nat'l Prescription Opiate Litig.*, Case No. 1:17-MD-2804 (DAP) (N.D. Ohio) ("MDL"), regarding or reflecting your knowledge, involvement, or oversight of the marketing, sales, or compliance related to Purdue's Opioids.

REQUEST FOR PRODUCTION NO. 2: Provide All Documents and Communications related to Your hiring, application, selection, promotion, compensation, performance, resignation, or departure from any position, including any position as an Employee, executive, consultant, or member of any Board of Directors, of any Purdue entity.

REQUEST FOR PRODUCTION NO. 3: Provide All Documents and Communications between You and Purdue concerning changes, or potential changes, to ownership of Purdue or drugs manufactured, marketed, or sold by Purdue, including Documents and Communications concerning who should own Purdue, whether to sell Purdue, any restructuring of Purdue, the

establishment of Rhodes Pharmaceuticals, L.P. ("Rhodes"), and whether Rhodes or Purdue would manufacturer, market, or sell any drugs.

REQUEST FOR PRODUCTION NO. 4: Provide All Documents and Communications Concerning compensation of any Purdue Employee, Board member, or consultant, including All Documents Reflecting Your duties, activities, or knowledge related to compensation and sales incentives at Purdue.

REQUEST FOR PRODUCTION NO. 5: All Documents and Communications Concerning, or reflecting financial or equitable transfers received by You from Purdue or any Purdue entity in which You hold a beneficial or ownership interest.

REQUEST FOR PRODUCTION NO. 6: All Documents and Communications Concerning, describing, or reflecting all steps You took or directed as a director, officer, or employee of Purdue to correct any marketing misrepresentation or to disclose or limit the abuse, misuse, diversion, or injury from Purdue's Opioids.

DATED this ___ day of May, 2019.

SEAN D. REYES
UTAH ATTORNEY GENERAL

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CERTIFICATE OF SERVICE

I certify that on May ___, 2019 I served the foregoing on the parties of record in this proceeding as set forth below:

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Dated this __ day of May, 2019.

_____