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*Attorneys for the Utah Division of Consumer Protection*

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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.**

**NOTICE OF AGENCY ACTION**

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

**DCP Case No. 107102**

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DIVISION OF CONSUMER PROTECTION TO THE ABOVE-NAMED RESPONDENTS:

You are hereby notified that agency action ("Action") in the form of an adjudicative proceeding has been commenced against you by the Utah Division of Consumer Protection ("Division"). The name of this Action is as captioned above, and may be referred to as: In the

Matter of: Purdue Pharma L.P., et al., DCP Legal File No. CP-2019-005. The Division’s legal authority and jurisdiction pursuant to which this Action is maintained includes Utah Code §§ 13-2-1(2)(c); 13-2-5(3); 13-2-6; and 13-11-17(4). The purpose of and questions to be decided by this adjudicative proceeding, and the information upon which this adjudicative proceeding is based, are set forth in the Division’s Administrative Citation (“Citation”). A copy of the Citation is attached, and incorporated herein by reference.<sup>1</sup> This Action will be served, and the Citation was previously served, to Respondents as follows:

Citation service to:	
Purdue Pharma, L.P. One Stamford Forum 201 Tresser Boulevard Stamford, CT 06901	Richard Sackler, M.D. 9901 E. Powder Run Road Alta, UT 84092
Purdue Pharma Inc. One Stamford Forum 201 Tresser Boulevard Stamford, CT 06901	Richard Sackler, M.D. 25 Windrose Way Greenwich, CT 06830-7232
The Purdue Frederick Company One Stamford Forum 201 Tresser Boulevard Stamford, CT 06901	Kathe Sackler, M.D. 136 Wells Hill Road Easton, CT 06612-1556
Courtesy copies to:	Courtesy copies to:
Mark Cheffo Mark.Cheffo@dechert.com	Sara Roitman Sara.Roitman@dechert.com
Will Sachse Will.Sachse@dechert.com	Paul LaFata Paul.LaFata@dechert.com
	Elisabeth McOmber emcomber@swlaw.com

<sup>1</sup> As directed by the February 26, 2019 Order in this matter, an unredacted copy of the Citation will be provided to Acting Director Parker, Presiding Officer Dibb, and to counsel for Respondents. The unredacted Citation contains information subject to a protective order as detailed in the Division’s Motion for Leave to File Redacted Notice of Agency Action (“Motion”), which is being filed contemporaneously with this Action. The Division requests that the Citation not be included in the public file until the Motion is decided.

Notice of Agency Action service to:

Purdue Pharma, L.P.  
One Stamford Forum  
201 Tresser Boulevard  
Stamford, CT 06901

Purdue Pharma Inc.  
One Stamford Forum  
201 Tresser Boulevard  
Stamford, CT 06901

The Purdue Frederick Company  
One Stamford Forum  
201 Tresser Boulevard  
Stamford, CT 06901

Snell & Wilmer L.L.P.  
Attn: Elisabeth McOmber  
15 West South Temple, Suite 1200  
Salt Lake City, UT 84101  
emcomber@swlaw.com

Courtesy copies to:

Mark Cheffo  
Mark.Cheffo@dechert.com

Will Sachse  
Will.Sachse@dechert.com

Richard Sackler, M.D.  
9901 E. Powder Run Road  
Alta, UT 84092

Kathe Sackler, M.D.  
136 Wells Hill Road  
Easton, CT 06612-1556

Cohne Kinghorn  
Attn: Patrick Johnson and Paul Moxley  
111 East Broadway, 11th Floor  
Salt Lake City, UT 84111  
pjohnson@ck.law  
pmoxley@ck.law

Courtesy copies to:

Sara Roitman  
Sara.Roitman@dechert.com

Paul LaFata  
Paul.LaFata@dechert.com

This adjudicative proceeding is initially designated as informal. Utah Code § 63G-4-202(1); Utah Admin. Code R152-6-1(A). It is thus subject to the provisions of Utah Code §§ 63G-4-201 through 203. In this proceeding you may, at your own expense, be represented by counsel, represent yourself individually, or, if not an individual, an entity may represent itself through an officer or employee. Utah Admin. Code R151-4-110. Any respondent may request a hearing from the presiding officer. If a hearing is requested or scheduled, notice of the hearing will be provided by the presiding officer. You may appear and be heard and present evidence on your behalf at any such hearings.

A prehearing conference has been scheduled in this matter, and will be held at 9:30 A.M. Mountain Daylight Time on Tuesday, April 23, 2019 in room 250 of the Heber M. Wells Building, 160 East 300 South, Salt Lake City, Utah 84114. Parties may participate in the prehearing conference by telephonic conference call, should they provide the presiding officer with their telephone number prior to the date of the prehearing conference. The purpose of the prehearing conference is to enter a scheduling order pursuant to Utah Admin. Code RR151-4-114, 503 and/or 510, as applicable, to set a date for pre-hearing motions, to set a hearing date to adjudicate the matter alleged in this Action, and to address such other matters as may be appropriate.

The presiding officer for this Action will be Bruce L. Dibb, Administrative Law Judge, Department of Commerce, who will preside over any matters designated by the Acting Director of the Division. Utah Admin. Code R152-6-2. If you or your counsel have questions regarding the procedure relative to the case, you may contact Judge Dibb in writing at 160 East 300 South, Second Floor, P.O. Box 146701, Salt Lake City, UT 84114-6701; by telephone at (801) 530-6706; or by electronic mail at [bdibb@utah.gov](mailto:bdibb@utah.gov).

You may file a written response to this Notice of Agency Action with the Division within thirty (30) days of the mailing date identified on the Certificate of Service accompanying this Notice of Agency Action. Utah Admin. Code R151-4-205(2)(a), (3)(a).

Your response, and any future pleadings or filings that should be part of the official files in this matter, should be sent to the following:

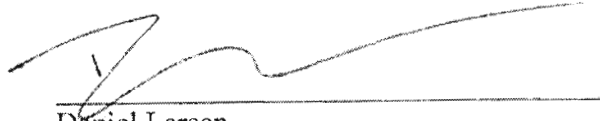
For the official file:  Utah Division of Consumer Protection 160 East 300 South, 2 <sup>nd</sup> Floor PO Box 146704 Salt Lake City, UT 84114-6704	To the Acting Director:  Chris Parker Acting Director Utah Division of Consumer Protection <a href="mailto:chrisparker@utah.gov">chrisparker@utah.gov</a>
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	<p>To the Administrative Law Judge:</p> <p>Utah Department of Commerce  Bruce Dibb, Administrative Law Judge  160 East 300 South, 2<sup>nd</sup> Floor  PO Box 146701  Salt Lake City, UT 84114-6701  bdibb@utah.gov</p>
<p>To counsel for the Division:</p> <p>Utah Attorney General's Office:</p> <p>Robert Wing  Assistant Attorney General  rwing@agutah.gov</p> <p>Kevin McLean  Assistant Attorney General  kmclean@agutah.gov</p>	<p>To counsel for the Division:</p> <p>Motley Rice:</p> <p>Linda Singer  lsinger@motleyrice.com</p> <p>Elizabeth Smith  esmith@motleyrice.com</p> <p>Lisa Saltzburg  lsaltzburg@motleyrice.com</p>

**If you fail to participate in this adjudicative proceeding, or fail to file a written response within thirty (30) days of the mailing date identified on the Certificate of Service accompanying this Notice of Agency Action, the presiding officer may cancel the prehearing conference, and may enter a default order against you without any further notice. Utah Code § 63G-4-209; Utah Admin. Code R151-4-510(1)(b)(i), (ii). After issuing the default order, the presiding officer may grant the relief sought against you in this Action and incorporated Citation, will conduct any further proceedings necessary to complete the adjudicative proceeding without your participation, and will determine all issues in the proceeding. Utah Code § 63G-4-209(4).**

You may attempt to negotiate a settlement of the matter without filing a response or proceeding to hearing. To do so, please contact the Division's counsel, identified above.

ISSUED this 8th day of March, 2019.

A handwritten signature in black ink, appearing to read 'Daniel Larsen', is written over a horizontal line.

Daniel Larsen  
Utah Division of Consumer Protection  
Presiding Officer for Issuance of this Notice of Agency Action

**CERTIFICATE OF SERVICE**

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

By first class mail, postage prepaid:

Purdue Pharma, L.P.  
One Stamford Forum  
201 Tresser Boulevard  
Stamford, CT 06901

Richard Sackler, M.D.  
9901 E. Powder Run Road  
Alta, UT 84092

Purdue Pharma Inc.  
One Stamford Forum  
201 Tresser Boulevard  
Stamford, CT 06901

Kathe Sackler, M.D.  
136 Wells Hill Road  
Easton, CT 06612-1556

The Purdue Frederick Company  
One Stamford Forum  
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Cohne Kinghorn  
Attn: Patrick Johnson and Paul Moxley  
111 East Broadway, 11th Floor  
Salt Lake City, UT 84111

Snell & Wilmer L.L.P.  
Attn: Elisabeth McOmer  
15 West South Temple, Suite 1200  
Salt Lake City, UT 84101

By electronic mail:

Elisabeth McOmer  
emcomber@swlaw.com

Patrick Johnson  
pjohnson@ck.law

Mark Cheffo  
Mark.Cheffo@dechert.com

Sara Roitman  
Sara.Roitman@dechert.com

Will Sachse  
Will.Sachse@dechert.com

Paul LaFata  
Paul.LaFata@dechert.com

Paul Moxley  
pmoxley@ck.law

DATED this 8th day of March, 2019.

/s/ Kevin McLean, Assistant Attorney General

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