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*Attorneys for the Utah Division of Consumer Protection*

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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.**

**STIPULATION REGARDING  
RESPONDENT RICHARD SACKLER'S  
AND RESPONDENT KATHE  
SACKLER'S OBJECTION TO  
DIVISION'S REQUEST TO SERVE  
DISCOVERY**

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

**DCP Case No. 107102**

The Division of Consumer Protection and the Individual Respondents<sup>1</sup> (collectively, the “Parties”) stipulate as follows:

1. On May 9, 2019, the Division of Consumer Protection filed a Request for Approval to Serve Requests for Production of Documents on Respondents Purdue Pharma L.P., Purdue Pharma Inc., and The Purdue Frederick Company (“Purdue”) and the Individual Respondents.<sup>2</sup>

2. On May 10, 2019, the Individual Respondents filed their Objection to the Division’s Request to Serve Discovery Requests and Motion to Stay Discovery Against Individual Respondents.

3. The parties have met and conferred and agree that, if the Administrative Law Judge denies the Motion to Dismiss of either or both Individual Respondents, the responses to discovery requests served by the Division will be due twenty (20) days after the Administrative Law Judge issues a decision denying the Motion to Dismiss.<sup>3</sup> However, if the Administrative Law Judge grants either or both the Individual Respondents’ Motion to Dismiss, the dismissed party or parties shall not be obligated to respond to the discovery requests served by the Division.

4. The parties agree that if the Administrative Law Judge has not issued a decision regarding the personal jurisdiction issues raised in the Individual Respondents’ Motion to Dismiss within ten (10) days of the May 21, 2019 Motion to Dismiss argument, the parties will meet and confer regarding the Individual Respondents’ Objection to the Division’s Request to Serve Discovery Requests and Motion to Stay Discovery Against Individual Respondents.

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<sup>1</sup> This stipulation pertains to Respondent Richard Sackler. It also pertains to Respondent Kathe Sackler. Collectively, said respondents are referred to as the “Individual Respondents.”

<sup>2</sup> The Individual Respondents object to the adjudication of the Division’s claims in this Administrative Action and to the Division’s attempt to assert personal jurisdiction over them. The Individual Respondents have moved to dismiss the matter on that basis and others set forth in (1) the Motion to Dismiss and supporting memorandum of law and affidavits filed on behalf of the Individual Respondents; and (2) Purdue’s Response to the Citation and its Motion to Dismiss and supporting papers, which the Individual Respondents have incorporated and adopted. By filing the foregoing Stipulation, the Division stipulates and agrees that the Individual Respondents’ are not making a general appearance in these proceedings, have not consented to the jurisdiction of this Tribunal and have not waived, and have preserved, all available defenses, including the defenses raised in the above-referenced motions and filings.

<sup>3</sup> In reaching this stipulation, the Division does not assent to the arguments made by the Individual Respondents in their Objection to the Division’s Request to Serve Discovery Requests and Motion to Stay Discovery Against Individual Respondents and specifically reserves the right to oppose such arguments in the future.

Accordingly, the Parties respectfully request that the Administrative Law Judge enter the attached Proposed Order.

DATED this 17<sup>th</sup> day of May, 2019.

SEAN D. REYES  
UTAH ATTORNEY GENERAL

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## CERTIFICATE OF SERVICE

I certify that on May 17, 2019 I served the foregoing on the parties of record in this proceeding as set forth below:

By electronic mail:

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Dated this 17<sup>th</sup> day of May, 2019.

/s/ Elizabeth Smith  
Elizabeth Smith

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**BEFORE THE DIVISION OF CONSUMER PROTECTION  
OF THE DEPARTMENT OF COMMERCE  
OF THE STATE OF UTAH**

**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 Respondents.**

**DCP Legal File No. CP-2019-005  
DCP Case No. 107102**

**[PROPOSED] AGREED ORDER**

WHEREAS, the Respondents Richard Sackler and Kathe Sackler (the "Individual Respondents") and the Division of Consumer Protection (the "Division") have entered into a Stipulation Regarding the Individual Respondents' Objection to Division's Request to Serve Discovery,

**IT IS HEREBY STIPULATED, AGREED, AND ORDERED THAT:**

1. The Individual Respondents response to any discovery requests served upon them by the Division will not be due until twenty (20) days after the Administrative law Judge rules on the Individual Respondents' Motion to Dismiss; however, to the extent the Individual Respondents'

Motion to Dismiss is granted and such Individual Respondent or Respondents is/are dismissed from these proceedings, such party/ies is/are not obligated to respond to the discovery requests served by the Division; and

2. The Individual Respondents and the Division shall meet and confer regarding the Individual Respondents' Objection to the Division's Request to Serve Discovery Requests and Motion to Stay Discovery Against Individual Respondents if the Administrative Law Judge has not issued a decision on the personal jurisdiction issues raised in the Individual Respondents' Motions to Dismiss by May 31, 2019.

So Ordered this \_\_\_ day of May, 2019.

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Bruce L. Dibb, Administrative Law Judge