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*Attorneys for Respondents Purdue Pharma L.P., Purdue Pharma Inc.,
and The Purdue Frederick Company*

**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 INC.**, 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.

**RESPONDENTS PURDUE PHARMA
L.P., PURDUE PHARMA INC., AND
THE PURDUE FREDERICK
COMPANY INC.'S REQUEST TO
SERVE FIRST SET OF DISCOVERY
REQUESTS**

DCP Legal File No. CP-2019-005

DCP Case No. 107102

Pursuant to Utah Admin. Code R151-4-514, Respondents Purdue Pharma L.P., Purdue Pharma Inc., and The Purdue Frederick Company Inc. (collectively, "Purdue"), through counsel, respectfully request approval from the Administrative Law Judge to serve Purdue's First Set of

Discovery Requests (the "Requests") on the Division of Consumer Protection ("Division"). The Requests are attached hereto as **Exhibit A**.

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 has brought sweeping claims under the Utah Consumer Sales Protection Act ("UCSPA") against Purdue in a 70-page, 174-paragraph Administrative Citation, alleging Purdue made or participated in numerous misrepresentations and falsehoods in Utah that allegedly violated the UCSPA. To establish its claims under the UCSPA, the Division must, among other things, identify each specific statement alleged to be a misrepresentation or falsehood, prove that the statement was a misrepresentation or falsehood, and prove that the statement was made in connection with a consumer transaction in Utah. The discovery Purdue seeks through its Requests is directly relevant to the Division's claims against it, and to Purdue's defenses to the Division's allegations, and the documents Purdue seeks in the Requests have not previously been produced to it.

For the foregoing reasons, Purdue respectfully requests that the Administrative Law Judge grant approval for Purdue to serve the Requests on the Division.

DATED: May 20, 2019.

SNELL & WILMER L.L.P.

/s/ Elisabeth M. McOmber

Elisabeth M. McOmber

Katherine R. Nichols

Annika L. Jones

Will Sachse

DECHERT LLP

*Attorneys for Respondents Purdue Pharma
L.P., Purdue Pharma Inc., and The Purdue
Frederick Company*

CERTIFICATE OF SERVICE

I hereby certify that on May 20, 2019, I caused a copy of the foregoing to be served by electronic mail upon the following:

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/s/ Katherine R. Nichols

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 INC., 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.

**RESPONDENTS PURDUE PHARMA
L.P., PURDUE PHARMA INC.,
AND THE PURDUE FREDERICK
COMPANY INC.'S**

**FIRST SET OF REQUESTS FOR
PRODUCTION**

DCP Legal File No. CP-2019-005

DCP Case No. 107102

Pursuant to Utah Code § 63G-4-204(1) and Utah Administrative Code Rules R151-4-501, R151-4-502, R151-4-505 and the Order of this Tribunal of April 23, 2019 ("Order"), Purdue Pharma L.P., Purdue Pharma Inc., and The Purdue Frederick Company Inc. (collectively,

“Purdue”), by and through undersigned counsel, request that the Division of Consumer Protection of the Department of Commerce of the State of Utah (“Division”) produce and permit inspection and copying of the documents and Electronically Stored Information listed in the individually numbered requests (“Requests”) within a time frame set by the Order, and in accordance with the Definitions and Instructions, at the offices of Elisabeth McOmber, Snell & Wilmer L.L.P., 15 West South Temple, Suite 1200, Salt Lake City, Utah 84101.

Purdue filed a motion to dismiss the Notice of Agency Action and accompanying Citation against them in the above-captioned action (the “Action”) on April 9, 2019 (the “Motion”). Purdue makes these Requests pursuant to the Order and without prejudicing the pending Motions.

DEFINITIONS

For the purpose of these Requests, Purdue has used the following definitions.

1. “Abuse” means the nonmedical or otherwise unauthorized and harmful use or Misuse of any Opioid or controlled substance and includes addiction, overdose, death, and Diversion to illicit use.

2. “Agency” refers to any agency of the State, department, authority, or entity involved in regulating, monitoring, approving, reimbursing, or prosecuting the prescription, dispensing, purchase, sale, use, or Abuse of Opioids or any other controlled substance in Utah.

3. “Agreement” means a contract, arrangement, or understanding, formal or informal, oral or written, between two or more persons.

4. “Chronic Pain” is used consistent with the meaning ascribed to it by the Division, i.e., pain lasting more than 12 weeks. (Administrative Citation, ¶ 19 n.16) If the Division intends to use a broader definition of “chronic pain” in this action, the term “Chronic Pain” shall take that definition.

5. "Citation" means the Notice of Agency Action and accompanying Citation filed by the Division on March 8, 2019.

6. "Claim" means any request for payment or reimbursement, in full or in part.

7. "Claims Data" means all information and data regarding the submission, processing, status, adjudication, and reimbursement of a Claim, including claim number and extension, if any; group number; member number; member date of birth, gender, and benefit status; subscriber information; dates of injury, prescription, fill date, claim submission, and bill; diagnosis code; drug name, code, generic name, class, and type; prior authorization information; quantity; days' supply; provider name; bill amount; savings; fee schedule; AWP unit cost; other cost information; and patient name or, if the Division is unable to provide patient name, information sufficient to associate all Claims filed regarding a particular individual across all databases containing responsive information.

8. "Communication" means any disclosure, transfer, or exchange of information or opinion, however made.

9. "Control" means possession, custody, or control, and includes constructive possession, to the extent that You, Your attorneys, agents, or representatives have a right to demand or compel production of the document or communication from a source with possession thereof.

10. "Distributor" means any person, organization, or corporate entity that distributes any Opioid.

11. "Division's Initial Disclosures" means the Initial Disclosures served by the Division on May 7, 2019.

12. “Diversion” means the unlawful channeling of regulated pharmaceuticals from legal sources to the illicit market, the distribution of a lawfully obtained prescription of a regulated pharmaceutical to another person who does not have a lawfully obtained prescription, or the receiving of a regulated pharmaceutical by any means other than through a lawfully obtained prescription.

13. “Document” is used consistent with how the term is defined and construed under Utah law. A draft or non-identical copy is a separate Document within the meaning of this term.

14. “Educational Activity” refers to publications, programs, outreach, continuing medical education, or other forms of communicating unbranded, educational information about Opioids or treatment of Chronic Pain to any audience.

15. “Electronically Stored Information” or “ESI” is used consistent with how the term is defined and construed under Utah law.

16. “Employee” includes all current and former employees, independent contractors, and individuals performing work as temporary employees.

17. “Health Care Provider” means any person who prescribes, administers, or dispenses any Opioid or Medication Assisted Treatment to any Patient in the State of Utah.

18. “Iatrogenic Addiction” means addiction caused by the use of an opioid as prescribed in accordance with the FDA-mandated packaging inserts of the prescribed opioids.

19. “Key Opinion Leader(s)” or “KOL(s)” means Health Care Providers who are involved in research, education, and/or advocacy concerning Opioids.

20. “Manufacturer” means any Person, organization, or corporate entity that manufactures any Opioid.

21. “MDL” means the case captioned *In Re: National Prescription Opiate Litigation*, 1:17-md-02804-DAP (N.D. Ohio).

22. “Medication Assisted Treatment” means the use of medications with counseling and behavioral therapies to treat substance abuse disorders and prevent Opioid Misuse, Abuse, or overdose.

23. “Misuse” means ingesting, shooting, snorting, or consuming, applying, or using a regulated pharmaceutical in any way other than as instructed in the label of a lawfully obtained prescription.

24. “Non-Party” means any person, organization, or corporate entity that is not named as party in the Citation, including third-party physicians and providers, plan sponsors, Medicaid beneficiaries, beneficiaries of any Program, and pharmacies.

25. “Opioid(s)” refers to FDA-approved pain-reducing medications consisting of natural or synthetic chemicals that bind to opioid receptors in a patient’s brain or body to produce an analgesic effect, including OxyContin, as described in ¶¶ 14 and 15 of the Citation.

26. “Patient” means any person in Utah or any person covered by a Program to whom any Opioid is prescribed, administered, or dispensed.

27. “Person(s)” means any natural person, corporation, partnership, association, joint venture, sole proprietorship, firm, entity, business enterprises, contractors, governmental or regulatory agencies or boards, or any division, subdivision, bureau, office or other unit thereof.

28. “Program(s)” means every program, department, facility, or Health Care Provider controlled, administered, overseen, or paid for by the State or an Agency of the State, whether in full or in part, that (i) provides health care for any of the State’s residents; (ii) provides health care for any Employee of the State during the Relevant Time Period; (iii) provides payment or

reimbursement of any Claims, in full or in part; or (iv) reviews, authorizes, or determines the conditions for payment or reimbursement, in full or in part, for any Opioid prescribed, administered, or dispensed to a Patient, including, but not limited to, the State Medicaid Program and the Utah Department of Human Resource Management.

29. "Purdue" means Purdue Pharma L.P., Purdue Pharma Inc., and The Purdue Frederick Company Inc.

30. "Relevant Time Period" means the time period during which the Division claims Purdue engaged in any allegedly unlawful conduct and continuing through the present.

31. "Vendor" means any third-party claims administrator, pharmacy benefit manager, HCP, or person involved in overseeing, administering, or monitoring any Program.

32. "State of Utah" or "Utah" includes to the State of Utah and all of its executive and legislative branches, Agencies, offices, departments, divisions, commissions, agents, Employees, boards, instrumentalities, vendors, administrators and other Persons or entities acting behalf of the State of Utah.

33. "You," "Your," and "Division" refer to the Division of Consumer Protection of the Department of Commerce of the State of Utah, and the executive and legislative branches, Agencies, offices, departments, divisions, commissions, agents, Employees, boards, instrumentalities, vendors, administrators and other Persons or entities acting behalf of the Division, including the Department of Commerce of Utah.

INSTRUCTIONS

The following instructions shall apply to each Request:

1. Unless otherwise set forth, the Documents requested include all Documents that relate to the Relevant Time Period, regardless of creation date, and continue through the date of this request.

2. In answering and responding to these Requests, You shall provide information and Documents in Your possession, custody, or control, including information that is in the possession, custody, or control of Your Employees, agents, investigators, consultants, representatives, attorneys (subject to any otherwise applicable privileges), or any other person within Your control.

3. All Documents that respond, in whole or in part, to any part or clause of any paragraph of these Requests shall be produced in their entirety, including all attachments and enclosures.

4. All Documents are to be produced as kept in the ordinary course of business or should be organized and labeled to correspond with the Request(s) to which they are responsive.

5. Copies of all labels or other markings indicating the nature, source or other characteristics of Documents produced, such as labels on file folders, dividers and other containers, should be included with the Documents produced so as to facilitate understanding of who keeps the Documents produced, where they are kept, and how they are organized.

6. All Electronically Stored Information shall be produced in the format specified in the Document Production Protocol entered in the MDL, on May 15, 2018 (ECF No. 443).

7. In addition to original and final versions of Documents, all drafts, alterations, modifications, changes and amendments of Documents should be produced, as well as all copies

non-identical to the original in any respect, including any copy bearing non-identical markings or notations of any kind. A draft or non-identical copy is a separate Document.

8. Produce any films, photographs, video tapes or audio tapes, including transcripts or memoranda thereof, involving a party, or the officer, director, member, agent or Employee of a party, including out-takes.

9. For any Document withheld in whole or in part under a claim of attorney-client privilege, attorney work product protection or other immunity from production, submit a list setting forth as to each Document: (a) the identity of each author or preparer of the Document, including their name, title and business affiliation; (b) the identity of the addressee and of every other Person who received the Document, including their name, title and business affiliation; (c) the date of the Document; (d) the nature of the Document, *e.g.*, letter, memorandum, e-mail, etc.; (e) either the title or the specific subject matter of the Document, and a short description of the Document sufficient to determine the validity of the assertion of the privilege; and (f) the nature of the privilege claimed.

10. If any Document has been lost, discarded or destroyed, each Document lost, discarded or destroyed shall be identified as completely as possible in accordance with Instruction No. 9 above. Identification of those Documents shall include the information required of privileged or redacted Documents, as well as the date of disposal and Persons disposing of the Documents.

11. Your obligation to respond to each of these Requests is a continuing one. If, after responding to any Request, You obtain or become aware of any new or additional information pertaining to any Request contained herein, You must supplement Your answer in accordance with Utah law.

12. If you have a good faith doubt as to the meaning or intended scope of a Request, and Your objection would be to its vagueness or ambiguity, You are asked and encouraged to contact counsel for Purdue in advance of asserting an unnecessary objection. The undersigned counsel will provide additional clarification or explanation as may be needed.

13. After receiving these Requests, and before producing Claims Data, You are asked and encouraged to contact counsel for Purdue to meet and confer regarding the claims fields to produce, the information and data covered by the Requests, and any redactions or anonymization that You believe necessary or appropriate.

REQUESTS FOR PRODUCTION

1. All Documents and Communications supporting Your allegation that Purdue made the alleged misrepresentations listed in Section I of the Division's Initial Disclosures.

2. All Documents and Communications relating to each alleged misrepresentation that forms the basis of Your allegations that Purdue violated the Utah Code as described in ¶¶ 163–64 and 167–70 of the Citation.

3. All Documents and Communications relating to the connection between (i) each alleged misrepresentation and/or misstatement identified in Request Nos. 1 and 2 and in Section I of the Division's Initial Disclosures and (ii) the State of Utah.

4. All Documents and Communications relating to each alleged misstatement that forms the basis of Your allegations in ¶ 16 of the Citation.

5. All Documents and Communications relating to all harm to the State of Utah that forms the basis of Your allegations in ¶¶ 13, 19, 28, 32, and 123 of the Citation.

6. All Documents and Communications relating to the connection between the harm identified in Request No. 5 and the alleged misrepresentations or misstatements identified in Requests Nos. 1, 2, and 4, and Section I of the Division's Initial Disclosures.

7. All Documents and Communications relating to each act that You allege was committed by Purdue that forms the basis of Your allegations of violations of the Utah Code in §§ 163, 164, 167-70 and 173-74 of the Citation.

8. All Documents and Communications relating to the connection between each of the acts identified in Request No. 7 and the State of Utah.

9. All Documents and Communications relating to the alleged falsity of each misrepresentation or misstatement identified in Requests Nos. 1, 2, and 4 and in Section I of the Division's Initial Disclosures.

10. All Documents and Communications relating to the penalties You are seeking from Purdue, and the calculation that forms the basis for those penalties.

11. All Documents and Communications relating to any approval or endorsement, or any withdrawal of approval or endorsement, of any Prescription Opioid by or in the State of Utah for the treatment of pain.

12. All Documents and Communications relating to the development or the implementation of procedures, policies or practices of the State of Utah relating to Prescription Opioids, including, without limitation, Utah Medicaid, health plans for State employees, and workers' compensation plans.

13. All Documents and Communications reflecting or relating to the standards, guidelines, or policies applied by the State, or anyone acting on the State's behalf, in determining whether and on what terms to provide coverage, payment, or reimbursement (in full or in part), for

Opioids under any Program, including Utah Medicaid, health plans for State employees, and workers' compensation plans.

14. All Documents and Communications reflecting or relating to any discussion, review, or analysis by a formulary committee (or other equivalent committees or groups) concerning coverage of Opioids, including but not limited to the Drug Utilization Review Board and the Pharmacy and Therapeutics Committee.

15. All Documents and Communications reflecting or relating to any discussion, review, or analysis of the State's Preferred Drug List and/or requiring prior authorization for any Opioid medication.

16. All Documents and Communications identifying, discussing, describing, or otherwise relating to the circumstances in which Opioid use is or is not medically necessary, reasonably required, or otherwise appropriate for the treatment of pain, whether chronic or non-chronic.

17. All Documents and Communications relating to the creation or modification of any therapeutic intervention, switching programs, or any other program intended to encourage Patients or Health Care Providers to use or switch to medications or treatments other than Opioids.

18. All Documents and Communications concerning the risks, benefits, safety, side effects, or efficacy of Opioids, including Documents and Communications comparing the risks, benefits, safety, side effects, or efficacy of Opioids to one another or to non-Opioid treatments.

19. All Documents and Communications reflecting or relating to any Agreement and/or contract entered into with any Vendor, including Agreements or contracts with prescription drug manufacturers that pertain directly to purchases of any Opioid, and any amendments or changes to Agreements or contracts with any Vendors relating to coverage,

reimbursement, purchase, or prescription of any Opioid, including the administration or implementation of prescription drug benefits, drug utilization reviews, formularies, prior authorization programs, or other pharmacy-related services provided under any Programs.

20. All Documents and Communications relating to treatment guidelines that pertain, refer, or relate to conditions treated with Opioids, including Chronic Pain, acute pain, palliative care, cancer-related pain, and any indication approved by the FDA during the Relevant Time Period for any Opioid, including but not limited to the CDC Guideline for Prescribing Opioids for Chronic Pain, the Federation of State Medical Board Guidelines, the AAPM/APS Guidelines, and/or the Utah Clinical Guidelines on Prescribing Opioids for Treatment of Pain.

21. All Documents and Communications relating to any response by or on behalf of the State of Utah to the Abuse and Diversion of Prescription Opioids.

22. All Documents and Communications relating to determining causes of death resulting from overdoses caused by Prescription Opioids or non-prescription opioids (e.g., heroin or fentanyl), including, without limitation, Documents and Communications from the Utah Office of the Medical Examiner and the Utah Department of Health.

23. All Documents and Communications relating to Health Care Providers in Utah who prescribe opioids to their patients in connection with the treatment of Chronic Pain.

24. All Documents and Communications reflecting or relating to any Health Care Provider's decision whether to prescribe or dispense any Opioid.

25. All Documents and Communications evidencing a causal connection between Purdue's alleged wrongdoings, as described in the Citation, and any decision by any Health Care Provider to prescribe any Opioid.

26. All Documents and Communications relating to the processes, practices, procedures, standards, criteria, reports, studies, rules, regulations, or any other information concerning the prescribing or dispensing of Opioid prescriptions by an Health Care Provider or under any Program, including any standards or procedures used by emergency rooms or urgent care facilities for prescribing or dispensing any Opioid.

27. All Documents and Communications relating to Patients in Utah who had been prescribed Prescription Opioids in connection with the treatment of Chronic Pain.

28. All Documents and Communications identifying, referring to, or concerning any Patient who the Division alleges received, obtained, or was harmed by an Opioid prescription for which the Division seeks to hold Purdue liable.

29. All Documents and Communications relating to interactions between any Person on behalf of the State of Utah with any of the alleged “Key Opinion Leaders” or “Front Groups,” including, without limitation, (i) Dr. Perry Fine, (ii) Dr. Lynn Webster, (iii) Dr. Russell Portenoy; (iv) the Federation of State Medical Boards; or (v) the Joint Commission on Accreditation of Healthcare Organizations.

30. All Documents and Communications relating to each prescription of a Prescription Opioid in the State of Utah that You allege was prescribed as a result of Purdue’s allegedly wrongful acts that would not otherwise have been prescribed, as alleged in ¶ 26 of the Citation.

31. All Documents and Communications relating to the connection between each prescription identified in Request No. 29 and each misrepresentation, misstatement or act identified in Requests Nos. 1, 2, 4 and 7, and Section I of the Division’s Initial Disclosures.

32. All Documents and Communications relating to each Person in the State of Utah that You allege was harmed due to Iatrogenic Addiction to Prescription Opioids manufactured by Purdue.

33. All Documents and Communications relating to each instance of conduct by Purdue after February 2018 that You assert as a basis for a penalty in this Action.

34. All Documents and Communications relating to Purdue's promotional spending for its Opioids and the impact of the same.

35. All Documents and Communications relating to each individual (if any) who suffered an overdose death in Utah that You allege was caused by a Prescription Opioid sold by Purdue, including but not limited to information and other data from the Opioid Fatality Review Committee and Drug Monitoring Initiative, the Office of the Medical Examiner, and the Department of Health.

36. All Documents and Communications relating to each individual (if any) who suffered an overdose death in Utah that You allege was caused by an opioid product (legal or illegal) **and** at any time received a prescription for a Prescription Opioid sold by Purdue, including, without limitation, all documents relating to the cause of each individual's death and all prescriptions for Prescription Opioids written for said individual.

37. All Documents and Communications concerning statistics relating to Opioid Abuse or use of heroin or illicitly manufactured fentanyl or fentanyl-type drugs in Utah.

38. All Documents and Communications relating to the number of overdose deaths in Utah that the State of Utah or any of its subdivisions contends was caused by each of the following categories of substances in each year since 1996: (i) oxycodone alone; (ii) hydrocodone alone; (iii) morphine alone; (iv) methadone alone; (v) a combination of any prescription opioids and other

prescription drugs or legal substances (e.g., benzodiazepines or alcohol); (vi) a combination of prescription opioids and either heroin or fentanyl or other synthetic opioids; and (vii) heroin, fentanyl, or other synthetic opioids, but not Prescription Opioids.

39. All Documents and Communications relating to any studies or data conducted, maintained, or obtained by the State or the State's divisions, subdivisions, or Agencies relating to Opioids or Opioid addiction, use, Abuse, or overdose, including without limitation sales data, cost-benefit studies, pharmacoeconomic studies, and studies or data concerning overdoses or prescription drug use or Abuse.

40. All Documents and Communications concerning clinical files maintained by You or on Your behalf for any Opioid, including but not limited to, all publications, articles, studies, clinical trials, and scientific literature related to Opioids.

41. All Documents and Communications with Utah counties, cities, and other local government bodies and their agencies concerning Opioids.

42. All Documents and Communications relating to any system or service used by the State or on the State's behalf to monitor, evaluate, assess, or otherwise examine prescribing activities and use of Opioids or potentially suspicious prescribing in the State, including Documents and Communications concerning the use of the State's prescription monitoring program registry, the Controlled Substances Database Program.

43. All Documents and Communications providing information and/or training for use of the State's prescription drug monitoring program, the Controlled Substances Database, including continuing medical education materials.

44. All Documents and Communications exchanged within or between the State and any Non-Party concerning Subject Opioids, the treatment of Chronic Pain, Purdue, any

Manufacturer or Distributor, or any act or practice that Plaintiff alleges was negligent, deceptive, in violation of any law or statute, or otherwise wrongful.

45. All Documents and Communications relating to each allegation in the Citation.

46. All Documents and Communications You have produced to other Respondents in this litigation.

47. All Documents and Communications relating to any actions by the Division or the State to regulate Opioids or address any addiction, Abuse, or overdoses allegedly associated with use of Opioids, heroin, and/or illicitly manufactured fentanyl and fentanyl-type drugs.

48. All Documents and Communications reflecting or concerning public statements by the Division or the State relating to Opioids, the treatment of Chronic Pain, Purdue, the messages or materials You claim were false, or this litigation.

49. All Documents and Communications relating to any educational efforts the Division or anyone acting on the Division's behalf sponsored or engaged in pertaining to Opioids, heroin, or illicitly manufactured fentanyl and fentanyl-type drugs, including but not limited to the Misuse or Abuse of or addiction to such drugs.

50. All Documents and Communications relating to any activity or effort by the State or on the State's behalf to address, remedy, solve, or otherwise attend to the alleged public health crisis, including all efforts by the State to treat, reduce, or prevent Opioid Abuse, unlawful Opioid prescribing and dispensing, and the manufacture, trafficking, distribution, sale, or use of heroin, illicitly manufactured fentanyl and fentanyl-type drugs, and substances containing those drugs.

51. All Documents and Communications concerning Opioids, heroin, illicitly manufactured fentanyl and fentanyl-type drugs, and Misuse, Diversion, Abuse, addiction, overdose, or death, including Documents and Communications relating to the State's awareness

of any such issues, the State's analysis of any such issues, or meetings, presentations, or proposals involving the State and any such issues.

52. All Documents and Communications concerning Opioids relating to any public information campaign or task force, including but not limited to for each such campaign or task force any meeting minutes, agendas, presentations, white paper or other memoranda, press releases, advertisements, advertising contracts, requests for proposals or bids, organizational charts, documents from all tasks force or campaign members, budgeting, and financing.

53. All Documents and Communications reflecting or concerning statements by the Division or the State relating to efforts to prevent the public or Health Care Providers in Utah from being misled by Purdue's alleged statements.

54. All Documents and Communications relating to any educational efforts the Division or anyone acting on the Division's behalf sponsored or engaged in pertaining to Continuing Medical Education for Health Care Providers, including but not limited to programs sponsored, presented, or maintained by the Utah Department of Commerce, Division of Occupational and Professional Licensing; the Utah Medical Association; and/or the Utah Coalition for Opioid Overdose Prevention (previously known as Pharmaceutical Drug Crime Project and Drug Community Project).

55. All Documents and Communications with or relating to Purdue concerning Opioids, the Marketing of Opioids, or any Educational Activity.

56. All Documents and Communications concerning any complaint, inquiry, disciplinary matter, investigation, or enforcement action relating to Educational Activities or the Marketing, sale, distribution, prescribing, or use of any Opioid in the State, including documents sufficient to identify any Person arrested, indicted, charged, fined, or otherwise penalized for any

activity relating to Educational Activities or the Marketing, sale, distribution, prescribing, or use of any Opioid.

57. All Documents concerning investigations, arrests, or attempts by You or any Agency of the State of Utah to identify drug abusers or Health Care Providers involved in any unlawful activity relating to Opioids, including but not limited to the Utah Department of Commerce, Division of Occupational and Professional Licensing; the Opioid Task Force; or the Utah State Bureau of Investigation.

58. All Documents relating to disciplinary matters, investigations, complaints or other inquiries into prescribing practices of any Health Care Provider relating to Opioids, including but not limited to Documents and Communications to or from the Utah Department of Commerce, Division of Occupational and Professional Licensing regarding unprofessional conduct, failure of a Health Care Provider to check the prescription drug monitoring program database, and/or notices issued to notify Health Care Providers of a patient's death and/or treatment for drug poisoning or overdose.

59. All Documents and Communications concerning the Division or the State of Utah's investigations of other Manufacturers and/or Distributors of Opioids who are not a party to this action.

60. All Documents and Communications concerning the State's prosecutorial policies concerning Opioids, heroin, and illicitly manufactured fentanyl and fentanyl-type drugs.

61. All Documents and Communications concerning the State's sentencing guidelines concerning crimes related to Opioids, heroin, and illicitly manufactured fentanyl and fentanyl-type drugs.

62. All Documents and Communications relating to Neonatal Abstinence Syndrome (“NAS”) births in the State during the Relevant Time Period, including the (i) year and (ii) particular Opioid(s) at issue, including the quantity, dosage, and brand or trade name, if any.

63. All Documents and Communications relating to the State’s treatment of incarcerated individuals with Opioids, availability of treatment for addiction while incarcerated (including medication-assisted treatment), and availability of addiction treatment post-release.

64. All Documents and Communications relating to the State’s use of Naloxone to treat drug overdose and prevent overdose deaths.

65. Participant-level Claims Data showing the full Medicaid or other Program Claims history for prescriptions and other health care services submitted to Medicaid or any other Program, whether reimbursed or not, for all Patients who received a prescription for one or more Opioids.

66. All Documents and Communications reflecting, identifying, or relating to each Opioid prescribed for a Patient or distributed within the State, including Claims Data for Opioid prescriptions and costs relating to Opioid prescriptions, Documents reviewed or relied upon in evaluating or deciding on the Claim, Communications with claimants or Health Care Providers, and paper or electronic claim forms relating to Claims.

67. All Documents and Communications reflecting, identifying, or relating to each Claim submitted under any Program for payment or reimbursement, in full or in part, of an Opioid prescribed for non-Chronic Pain, including Claims Data, Documents reviewed or relied upon in evaluating or deciding on the Claim, Communications with claimants or Health Care Providers, and paper or electronic claim forms relating to such Claims.

68. All Documents and Communications relating to the Utah agency employees or other professionals or academics in Utah who have studied, written about, or are otherwise knowledgeable about the opioid abuse crisis in Utah, as identified in Section II of Your Initial Disclosures.

69. All Documents and Communications relating to Angela Stander and Opioids.

70. All Documents and Communications relating to the Purdue sales representatives identified in Section II of Your Initial Disclosures.

71. All Documents and Communications relating to the “publicly available information and documents regarding the opioid epidemic in Utah compiled by Utah or federal agencies,” including without limitation Documents and Communications relating to the creation, revision, and dissemination of that publicly available information and documents, as identified in Section III of Your Initial Disclosures.

72. All Documents and Communications relating to settlements or agreements between the State or its attorneys and Drs. Lynn Webster, Perry Fine, and/or Russell Portenoy.

73. All Documents and Communications relating to settlements or agreements between the State or its attorneys and any of the Purdue sales representatives identified in Section II of Your Initial Disclosures.