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

IN THE MATTER OF:

DCP Legal File No. CP-2019-005

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;

DCP Case No. 107102

Respondents.

DECLARATION OF DAVID PIERSON

I, David Pierson, declare as follows:

1. My name is David Pierson. I am over the age of 18 and competent to make this Declaration. The information contained herein is based upon my personal knowledge as a Records Officer and Licensor for the Utah Division of Consumer Protection (the "Division").

2. Among other duties, I am responsible for pulling records and responding to GRAMA requests for the Division.

3. I was notified by the State Open Records office of the GRAMA request submitted by Katherine Nichols of Snell & Wilmer LLP on April 8, 2019.

4. I have been a Records Officer for approximately five years, and have never before seen a request of the depth and breadth of that submitted by Ms. Nichols.

5. Ms. Nichols' request is sufficiently ambiguous that the extent of the records she seeks is unclear. Most notably, it is unclear whether Ms. Nichols seeks case, or complaint, files as well as legal files.

6. However construed, Ms. Nichols' request would likely entail thousands upon thousands of documents.

7. For legal files alone, I estimate that the Division of Consumer Protection and the Division of Consumer Affairs likely open approximately 110 to 130 legal dockets per year for administrative disciplinary actions. On the lowest end, a docket may have only two or three entries. Other dockets may have a far higher number.

8. Ms. Nichols' request appears to seek records which may go back as far as 1980. The legal files for the past four years, going back until approximately January 1, 2015, are publicly available on-line. The older legal files are paper files.

9. The legal files that are more than ten years old are held at the State Records Center in Clearfield, Utah.

10. Typically, records are retained for 15 years and then transferred to the State Archives, at which point there is some authority to weed files. I have never personally been involved with actions older than 15 years.

11. In addition to legal files, the Division maintains a case file every time a complaint is filed. There may be one case file, or multiple case files, associated with a given legal file. Typically, a case file includes the complaint and copies of correspondence with the business in question, and if an action goes to a citation, then a legal docket number is assigned.

12. It is not Division policy to scan complaint files, only legal files. The Division maintains case files for the current year and one year prior. Case files are retained for a seven year period in the State Records Center.

13. By statute, the Division is prohibited from disclosing the identity of an individual named in a complaint unless legal action taken. If the Division takes action on a complaint, it typically would produce the records, but would go through each page to redact social security numbers, bank account information, last names of consumers, home addresses of consumers, and other information that would be considered an unwarranted invasion of privacy if disclosed. The Division would analyze every document and redact as appropriate.

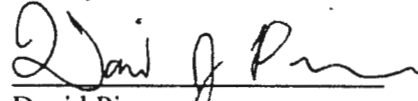
14. To respond to Ms. Nichol's request would require months of my time if I were to process the request on my own. The Division has one other certified officer with the training to handle GRAMA requests. However, they, like me, have other job responsibilities. Each of us have licensing or other responsibilities that would be delayed if required to spend all of our time responding to GRAMA requests.

15. If read to include available legal files and case files, I estimate that the request would likely require the review and production of tens of thousands of pages of documents.

16. I anticipate it would take a considerable amount of time to pull, redact, and provide those records, but cannot provide a more detailed time estimate due to the lack of specificity regarding the scope of the request.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed in SALT LAKE CITY, UTAH on APRIL 25TH, 2019.


David Pierson