IN THE DISTRICT COURT OF CLEVELAND COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel., MIKE HUNTER, ATTORNEY GENERAL OF OKLAHOMA,	
Plaintiff,	
vs.	**Case No. CJ-2017-816** **Judge Thad Balkman**
(1) PURDUE PHARMA L.P.; **(2) PURDUE PHARMA, INC.;** **(3) THE PURDUE FREDERICK COMPANY;** **(4) TEVA PHARMACEUTICALS USA, INC.;** **(5) CEPHALON, INC.;** **(6) JOHNSON & JOHNSON;** **(7) JANSSEN PHARMACEUTICALS, INC;** **(8) ORTHO-MCNEIL-JANSSEN PHARMACEUTICALS, INC., n/k/a JANSSEN PHARMACEUTICALS;** **(9) JANSSEN PHARMACEUTICA, INC., n/k/a JANSSEN PHARMACEUTICALS, INC.;** **(10) ALLERGAN, PLC, f/k/a ACTAVIS PLC, f/k/a ACTAVIS, INC., f/k/a WATSON PHARMACEUTICALS, INC.;** **(11) WATSON LABORATORIES, INC.;** **(12) ACTAVIS LLC; and** **(13) ACTAVIS PHARMA, INC., f/k/a WATSON PHARMA, INC.,**	**Special Master:** **William Hetherington**
Defendants.	

SUPPLEMENT TO PLAINTIFF'S MOTION TO COMPEL DEPOSITIONS

The State first noticed 41 Rule 3230(c)(5) deposition topics in April 2018. The State re-noticed these depositions following the remand order. To date, the State has not deposed any witnesses on these topics. The State has only been able to schedule two topics to take place for one of the Defendants. The State noticed these depositions prior to the Court's new deposition protocol. They are not subject to that protocol. August 31, 2018 Hearing Transcript at 25:25-

27:08. Nevertheless, the State agreed to work with Defendants regarding scheduling. *Id.* The State has not required Defendants to file motions for protection regarding those already noticed as the Parties attempted to work out dates by agreement. Defendants, however, have taken such unreasonable positions with scheduling these depositions that the State is forced to seek further relief from this Court.

While Defendants have taken the same or similar positions with respect to these depositions, the State will address each Defendant separately for clarity.

Janssen Defendants

Janssen originally proposed squeezing 27 of the 41 topics noticed into just two depositions. *See* Exhibit A. This is plainly unworkable and unreasonable. Janssen proposed fitting as many as 18 topics into a single deposition across two days. The topics Janssen attempted to lump into a two-day deposition ranged from such significant issues as Front Group funding, to KOL funding, branded marketing strategies, unbranded marketing strategies, and Janssen's sales force. *Id.* Following a meet and confer, as requested by Defendants, the State proposed a reasonable grouping of the topics based on those it believed it could likely complete within 6 hour sessions. *See* Exhibit B. Janssen rejected that proposal. Instead, Janssen proposed proceeding across two days and, if Janssen afterwards agreed that the State was diligent with its questions and more time was appropriate for all topics, then Janssen would potentially agree to two more days to cover these 18 topics. That is simply unreasonable and not what the Rules require. The State is not required to wait and see if Janssen believes the State has efficiently asked its questions regarding

some of the most substantive topics in this case. The KOL deposition alone will likely take 6 hours, as set forth on the State's chart. *See id.*[1]

Janssen is also attempting to force the State to take such significant depositions prior to the dates the State actually noticed those depositions. The State intentionally noticed these depositions in the order it did based on the status of Janssen's document production. Janssen should not be permitted to force the State to take a deposition early regarding, for example, KOL funding by grouping it with another topic that the State noticed for an earlier date.

The State will agree to logically group certain topics, as it has done in the past. Certain topics may take 30 minutes, while others may take 6 hours. The State made a reasonable proposal of deposition topics it believes it can complete within 6 hours sessions. While Janssen can choose the witness it designates for these topics, it must be reasonable in the number of hours and days it will require to take these depositions. The State is not going to preemptively limit itself to 12 hours or 24 hours on some of the most significant topics at issue in the case. And that is not how the Rules work for corporate representative testimony. Thus, the State requests the Court grant, at a minimum, the number of hours requested for these depositions as set forth in the State's chart. *Id.*

Purdue Defendants

Purdue's proposal was even worse. Purdue originally proposed fitting 15 topics into a single deposition on a single day and did not even offer the mere two days Janssen offered. *See* Exhibit C. The State met and conferred with Purdue at the same time as Janssen. The State provided the same proposal for grouping the topics into 6 hour sessions as it provided to Janssen.

[1] The only two topics that have been scheduled are Topics 39 and 41, which are scheduled to take place on November 9 for Janssen.

Purdue has not responded to that proposal. As such, the State requests the Court grant, at a minimum, the number of hours requested for these depositions as set forth in the State's chart for Purdue as well. Exhibit B.

Teva Defendants

Teva's proposal is worst of all. Teva first took the position that the State was only entitled to one corporate representative deposition lasting a total of six hours. *See* Exhibit D. Teva immediately backed off from that position and claimed it would agree to some proposal regarding how the topics could be grouped into 6 hour sessions. Then, ***after*** the Parties met and conferred, Teva sent a letter nearly identical to the ones Janssen and Purdue had previously sent proposing such unreasonable groupings. Indeed, Teva's letter proposed 21 topics to take place in two days. *See* Exhibit E.

To the extent Defendants provide reasonable proposals for scheduling these deposition prior to the October 18 hearing, the State will consider them and advise the Court as needed. At this point, the State simply cannot delay in filing this Motion so that these depositions may be scheduled. The State tried to put a schedule in place for these depositions in April. As it stands, only ***two topics*** are currently scheduled by agreement for ***one defendant***. The State requests the Court address all issues regarding the scheduling and scope of these depositions on October 18 (or earlier) so that the State may put a schedule in place regarding these depositions that it first began noticing in April.

Dated: October 9, 2018

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above and foregoing was emailed on October 9th, 2018 to:

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427,892-297

September 10, 2018

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VIA E-MAIL

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Re: ***State of Oklahoma v. Purdue Pharma L.P. et al., No. CJ-2017-816***

Dear Reggie and Mike:

We are serving objections today for the 41 corporate representative notices the State served on Janssen on August 8, 2018. These notices would require Janssen's counsel and witnesses to appear in Oklahoma on 41 separate days between September 21, 2018 and December 5, 2018. We are willing to meet and confer on these objections.

Subject to our objections, we will offer a witness to testify to the following topics on October 10, and, if necessary, October 11, 2018, in Oklahoma City.

- Your involvement with, and contributions to, non-profit organizations and professional societies, including the Front Groups.
- Your involvement with, and contributions to, KOLs regarding opioids and/or pain treatment
- Your use of branded marketing for opioids nationally and in Oklahoma, including the scope, strategy, purpose and goals with respect to such branded marketing.
- Your use of unbranded marketing for opioids nationally and in Oklahoma, including the scope, strategy, purpose and goals with respect to such unbranded marketing.
- Your use of continuing medical education regarding opioids nationally and in Oklahoma, including the scope, strategy, purpose and goals with respect to such continuing medical education.
- The scope, strategy, purpose, and goals for Your opioids sales forces, including without limitation: training policies and practices; sales tactics; compensation structures; incentive programs; award programs; sales quotas; methods for

assigning sales representatives to particular regions; facilities and/or physicians; and Your use of such sales forces in Oklahoma.

- Your practices and processes for identifying and prioritizing physicians to detail.
- Your research of Oklahoma Healthcare Professionals' and/or pharmacies' opioid prescribing habits, history, trends, sales, practices and/or abuse and diversion of opioids.
- Your use of 'do not call' lists or any similar list of prescribers that your sales representatives do not contact.
- Your efforts to identify high-prescribing health care providers in the State of Oklahoma.
- Your efforts to identify low-prescribing health care providers in the State of Oklahoma.
- Your role, influence, or support for any campaign or movement to declare pain as the "Fifth Vital Sign."
- Your use of medical education communication companies (MECCs) regarding opioids and/or pain management marketing.
- Your use of speakers' bureaus, advisory boards, or other similar programs regarding opioids and/or pain management marketing.
- Your use of medical liaisons to communicate with Healthcare Professionals, KOLs, and/or Front Groups regarding opioids and/or pain treatment.
- Your use of data provided by IMS, IQVIA or any similar data service for purposes of marketing and/or sales strategies.
- Your sales projections and/or research related to the amount of reimbursement for Your opioids prescriptions that would be paid by Medicare and/or Oklahoma's Medicaid Program.
- Your efforts and actions, both internally and in conjunction with third parties, to obtain and/or increase coverage and/or reimbursement of their opioids by public payers, including SoonerCare.

Additionally, we will offer a second witness to testify to the following topics on October 23, and if necessary, October 24, 2018, in Oklahoma City.

- Research conducted, funded, directed and/or influenced by You, in whole or in part, related to opioid risks and/or efficacy.

- Your scientific support for Your marketing statements and representations regarding the risks and benefits of opioids.

- Your research conducted, funded, directed and/or influenced, in whole or in part, related to pseudoaddiction.

- Your scientific support for Your marketing statements and representations regarding pseudoaddiction.

- Your use and/or establishment of any opioid abuse and diversion program You established and implemented to identify Healthcare Professionals' and/or pharmacies' potential abuse or diversion of opioids.

- Your use of clinical trial companies regarding opioids and/or pain management.

- Clinical trials funded, sponsored, and/or conducted by You regarding opioids and/or pain management.

- Policies, practices, and procedures regarding complaints You received related to addiction or abuse of Your opioids in Oklahoma.

- Your actions and/or efforts in response to the FDA's September 10, 2013 response to the PROP Petition from July 25, 2012.

We trust this will provide the State with enough time to prepare for these depositions despite the fact that certain of the topics were originally noticed for later dates. Please confirm whether these dates will work for the State's counsel. We expect to follow up shortly and identify dates certain for topics 33 and 34 during the week of November 5 and for topics 39 and 41 during the week of November 12.

Additionally, as set forth in our objections, there are two topics for which we object to providing a witness:

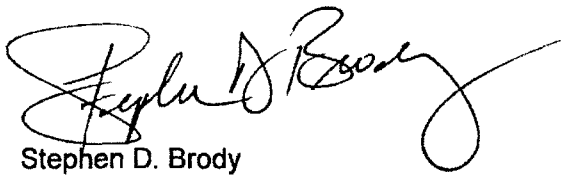
- The amount of revenue and profits earned by You attributable to and/or derived from the prescription of opioids by any Oklahoma doctor criminally investigated, charged, indicted, and/or prosecuted for prescribing practices related to opioids. For purposes of this topic, "prosecution" includes any administrative proceeding.

- The factual bases supporting Your defenses to Plaintiff's claims as set forth in Your Answer.

We also believe some of the noticed topics are more appropriately handled by written responses and we have identified those topics specifically in our written objections. We are open to meet and confer on both of these issues.

Thank you for your attention to the foregoing.

Sincerely,



Stephen D. Brody
for O'MELVENY & MYERS LLP

cc: Counsel of Record

EXHIBIT B

Category	Topic Descriptions	Hours Needed
1	TOPIC 21: Your role, influence, or support for any campaign or movement to declare pain as the "Fifth Vital Sign." TOPIC 1: Your involvement with, and contributions to, non-profit organizations and professional societies, including the Front Groups.	6
2	TOPIC 2: Your involvement with, and contributions to, KOLs regarding opioids and/or pain treatment.	6
3	TOPIC 23: Your use of public relations firms and communication with journalists regarding opioids and/or pain management marketing, including without limitation, the American Enterprise Institute, Cancer Action Network, Center for Lawful Access & Abuse Deterrence, Pinney Associates, Conrad & Associates LLC, and Sense About Science USA. TOPIC 5: Your use of continuing medical education regarding opioids nationally and in Oklahoma, including the scope, strategy, purpose and goals with respect to such continuing medical education. TOPIC 17: Amounts spent by You on advertising and marketing related to opioids.	6
3	TOPIC 3: Your use of branded marketing for opioids nationally and in Oklahoma, including the scope, strategy, purpose and goals with respect to such branded marketing. TOPIC 4: Your use of unbranded marketing for opioids nationally and in Oklahoma, including the scope, strategy, purpose and goals with respect to such unbranded marketing.	6
4	TOPIC 27: Your use of medical liaisons to communicate with Healthcare Professionals, KOLs, and/or Front Groups regarding opioids and/or pain treatment. TOPIC 10: The scope, strategy, purpose, and goals for Your opioids sales forces, including without limitation: training policies and practices; sales tactics; compensation structures; incentive programs; award programs; sales quotas; methods for assigning sales representatives to particular regions; facilities and/or physicians; and Your use of such sales forces in Oklahoma.	6

5	TOPIC 11: Your practices and processes for identifying and prioritizing physicians to detail. TOPIC 12: Your research of Oklahoma Healthcare Professionals' and/or pharmacies' opioid prescribing habits, history, trends, sales, practices and/or abuse and diversion of opioids. TOPIC 14: Your use of 'do not call' lists or any similar list of prescribers that your sales representatives do not contact. TOPIC 15: Your efforts to identify high-prescribing health care providers in the State of Oklahoma. TOPIC 16: Your efforts to identify low-prescribing health care providers in the State of Oklahoma.	6
6	TOPIC 22: Your interactions and communications with medical schools in Oklahoma, including without limitation, financial contributions, speeches, presentations, scholarships, event sponsorship, research grants, educational materials, and/or branded promotional materials. TOPIC 25: Your use of medical education communication companies (MECCs) regarding opioids and/or pain management marketing. TOPIC 26: Your use of speakers' bureaus, advisory boards, or other similar programs regarding opioids and/or pain management marketing.	6
7	TOPIC 28: Your use of data provided by IMS, IQVIA or any similar data service for purposes of marketing and/or sales strategies. TOPIC 31: Your sales projections and/or research related to the amount of reimbursement for Your opioids prescriptions that would be paid by Medicare and/or Oklahoma's Medicaid Program. TOPIC 32: Your efforts and actions, both internally and in conjunction with third parties, to obtain and/or increase coverage and/or reimbursement of their opioids by public payers, including SoonerCare.	6
8	TOPIC 20: Your actions and/or efforts in response to the FDA's September 10, 2013 response to the PROP Petition from July 25, 2012. TOPIC 29: Your use of clinical trial companies regarding opioids and/or pain management. TOPIC 30: Clinical trials funded, sponsored, and/or conducted by You regarding opioids and/or pain management. TOPIC 8. Your research conducted, funded, directed and/or influenced, in whole or in part, related to pseudoaddiction.	6

8	TOPIC 6: Research conducted, funded, directed and/or influenced by You, in whole or in part, related to opioid risks and/or efficacy. TOPIC 19. Your educational and/or research grants provided by You to individuals or entities regarding opioids and/or pain treatment. TOPIC 18: Amounts spent by You on research and development for opioids	6
9	TOPIC 7: Your scientific support for Your marketing statements and representations regarding the risks and benefits of opioids. TOPIC 9: Your scientific support for Your marketing statements and representations regarding pseudoaddiction.	6
10	TOPIC 40: The factual bases supporting Your defenses to Plaintiff's claims as set forth in Your Answer.	6
11	TOPIC 39: Your involvement and participation in the Pain Care Forum. TOPIC 41: LOBBYING EFFORTS - Your efforts or activities in Oklahoma concerning opioids related to: (a) lobbying efforts; (b) campaign contributions; (c) presentations made to the Oklahoma Health Care Authority's Drug Utilization Review Board; (d) scheduling of opioids; (e) opposing the rescheduling hydrocodone combination products from Schedule III to Schedule II; (f) pain management guidelines in Oklahoma statutes; (g) legislative efforts or activities; (h) law enforcement; and (i) prosecution of any individual or entity related to use, misuse, abuse, diversion, supply, and prescription.	6
12	TOPIC 38: Policies, practices, and procedures regarding complaints You received related to addiction or abuse of Your opioids in Oklahoma. TOPIC 13. Your use and/or establishment of any opioid abuse and diversion program You established and implemented to identify Healthcare Professionals' and/or pharmacies' potential abuse or diversion of opioids.	6
13	TOPIC 33: Your relationship and business dealings with other opioid manufacturers related to opioids and/or pain management, including without limitations any co-promotion or ownership agreements. TOPIC 34: The source of ingredients, compounds or components, such as Thebaine (CPS-T), utilized by You in the manufacture of any opioids sold by You in the United States, including without limitation the amount of money paid to purchase such opioid compounds or components and U.S. distribution and sale of CPS-T.	6

14	TOPIC 35: All opioids manufactured, owned, contemplated, developed, and/or in-development by You including the nature of each such opioid, its intended use, and the stage of development of each (e.g. released to market, in development, abandoned). TOPIC 36: All drugs for opioid use disorder manufactured, owned, contemplated, developed, and/or in-development by You including the nature of each such opioid use disorder drug, its intended use, the stage of development of each (e.g. released to market, in development, abandoned), and profits earned by You from the sale of any such drug in Oklahoma. TOPIC 37: All drugs for the treatment of opioid overdose manufactured, owned, contemplated, developed, and/or in-development by You including the nature of each such opioid overdose drug, its intended use, the stage of development of each (e.g. released to market, in development, abandoned), and profits earned by You from the sale of any such drug in Oklahoma.	6
15	TOPIC 24: The amount of revenue and profits earned by You attributable to and/or derived from the prescription of opioids by any Oklahoma doctor criminally investigated, charged, indicted, and/or prosecuted for prescribing practices related to opioids. For purposes of this topic, "prosecution" includes any administrative proceeding.	6

EXHIBIT C

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September 10, 2018

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Re: ***State of Oklahoma ex rel. Mike Hunter v. Purdue Pharma, LP*, CJ -2017-816**

Dear Counsel:

Pursuant to the deposition protocol set forth by Judge Hetherington on August 31, 2018, Purdue Pharma LP, Purdue Pharma Inc. and The Purdue Frederick Company Inc. ("Purdue") hereby respond to the State's 41 Amended Notices for 3230(C)(5) Videotaped Depositions (dated August 6, 2018).

Subject to and without waiving any of Purdue's objections, which are enclosed with this letter, Purdue intends to produce a witness for a deposition on a day during the week of October 29, 2018, on the following topic:

- Topic 34: The source of active ingredients, compounds or components utilized by Purdue in the manufacture of its opioid medications sold in the United States.

Subject to and without waiving any of Purdue's objections, Purdue intends to produce a witness for a deposition on a day during the week of November 5, 2018, on the following topics:

- Topics 3 and 4: Purdue's use of marketing for its FDA-approved opioid medications, nationally and in Oklahoma.
- Topic 10: The organization, training, and compensation structure for, and sales activities of, Purdue sales employees in Oklahoma.
- Topic 11: Purdue's practices and processes for identifying and prioritizing physicians in Oklahoma for sales employees to contact or meet.
- Topic 12: Purdue's research, if any, of Oklahoma health care professionals' and/or pharmacies' opioid prescribing history, sales, or practices and/or abuse and diversion of opioids.
- Topic 14: Purdue's use of "do not call" lists or any similar list of prescribers that sales representatives do not contact.
- Topics 15 and 16: Purdue's efforts, if any, to identify health care providers in the State of Oklahoma who prescribed Purdue's FDA-approved opioid medications and their prescribing rates.
- Topic 28: Purdue's use of data provided by IMS, IQVIA or any similar data service for purposes of marketing and/or sales strategies.

- Topic 32: Purdue's efforts and actions, if any, to obtain and/or increase coverage and/or reimbursement of its opioid medications by public payers in Oklahoma, including SoonerCare.

In addition, Purdue is available to meet and confer with Plaintiff about Topic 31: Purdue's sales projections and/or research related to the amount of reimbursement for prescriptions for its opioid medications that would be paid by Medicare and/or Oklahoma's Medicaid Program.

Subject to and without waiving any of Purdue's objections, Purdue intends to produce a witness for a deposition on a day during the week of November 12, 2018, on the following topics:

- Topic 13: Purdue's use and/or establishment of any opioid abuse and diversion program Purdue established and implemented to identify Healthcare Professionals' and/or pharmacies' potential abuse or diversion of opioids.

- Topic 38: Policies, practices, and procedures regarding complaints Purdue received related to addiction or abuse of its opioid medications in Oklahoma.

Subject to and without waiving any of Purdue's objections, Purdue intends to produce a witness for a deposition on November 15, 2018, on the following topics:

- Topic 1: Purdue's involvement with, and contributions to, non-profit organizations and professional societies regarding opioids and/or pain treatment.

- Topic 2: Purdue's involvement with, and contributions to, KOLs regarding opioids and/or pain treatment.

- Topic 6: Research conducted or funded by Purdue, in whole or in part, related to Purdue's FDA-approved opioid medications' risks and/or efficacy.

- Topic 7: Scientific support for Purdue's marketing statements and representations regarding the risks and benefits of opioids.

- Topic 8: Research, if any, conducted or funded by Purdue, in whole or in part, related to pseudoaddiction.

- Topic 9: Purdue's scientific support for marketing statements and representations, if any, regarding pseudoaddiction.

- Topic 20: Purdue's actions and/or efforts in response to the FDA's September 10, 2013 response to the PROP Petition from July 25, 2012.

- Topic 22: Purdue's communications and relationships, if any, with medical schools in Oklahoma.

- Topic 23: Purdue's use of public relation firms, if any, in connection with media and public communications regarding opioids and/or pain management and any such communications with the American Enterprise Institute, Cancer Action Network, Center for Lawful Access & Abuse Deterrence, Pinney Associates, Conrad & Associates LLC, and Sense About Science USA.

- Topic 25: Purdue's use, if any, of medical education communication companies (MECCs) in which Purdue was involved in content regarding opioids and/or pain management.

- Topic 26: Purdue's use of speakers' bureaus, advisory boards, or other similar programs regarding opioids and/or pain management in Oklahoma.

- Topic 33: Purdue's relationship with other opioid manufacturers who are co-Defendants in this action related to opioids and/or pain management and any co-promotion or ownership agreements relating to Purdue's opioid medications.

- Topic 35: The nature and intended use of opioid medicines manufactured and sold by Purdue.

- Topic 36: The nature and intended use of drugs for opioid use disorder, if any, manufactured and sold by Purdue.

- Topic 37: The nature and intended use of drugs for the treatment of opioid overdose, if any, manufactured and sold by Purdue.

Purdue is willing to respond in writing to the following topics:

- Topic 17: Actual marketing expenses by brand and by year for OxyContin®, Butrans®, and Hysingla ER®.

- Topic 18: Amounts spent by Purdue on research and development for opioids.

- Topic 19: Purdue's educational and/or research grants to individuals or entities regarding opioids and/or pain treatment.

- Topic 29: Purdue's use of clinical trial companies regarding opioid and/or pain management.

- Topic 30: Clinical trials funded, sponsored, and/or conducted by Purdue regarding opioids and/or pain management.

Purdue is continuing to work in good faith to identify witness(es) who can testify about the following topics:

- Topic 5: Continuing medical education, if any, in which Purdue was involved in content regarding Purdue's FDA-approved opioid medications, nationally and in Oklahoma.

- Topic 21: Purdue's role in or support for, if any, any research and published statements in support of the view of pain as the "Fifth Vital Sign."

- Topic 27: Purdue's use of medical liaisons to communicate about opioids and/or pain treatment in Oklahoma.

- Topic 39: Purdue's involvement and participation in the Pain Care Forum.

- Topic 41: Purdue's activities in Oklahoma concerning opioids and legislation, law enforcement, scheduling of opioid medications, and medical guidelines.

We hope to have this information for you in the near future. As always, we are of course willing to meet and confer regarding any of these issues.

Sincerely,

/s/ Mark S. Cheffo

Cc: Counsel of record for Defendants (via email)

Enclosure

EXHIBIT D

Morgan Lewis

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September 10, 2018

VIA E-MAIL

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Re: State of Oklahoma v. Purdue Pharma L.P., et al, Case No. CJ-2017-816

Dear Counsel:

On behalf of Teva Pharmaceuticals USA, Inc. and Cephalon, Inc. ("Teva") and Watson Laboratories, Inc., Actavis LLC, and Actavis Pharma, Inc. f/k/a Watson Pharma, Inc. (the " Actavis Generic Entities") (collectively, the "Teva Defendants"), we write concerning the 42 Notices for Rule 3230(C)(5) Videotaped Deposition of Corporate Representatives of Teva/Cephalon Defendants that were emailed on August 8, 2018 ("August 8, 2018 Notices" or the "Notices"). The Teva Defendants will make themselves available to meet & confer regarding the below objections and responses.

I. Date and Location

The Teva Defendants note that Plaintiffs served 42 separate Notices, unilaterally scheduled on 42 separate dates, with each Notice containing a single topic. On August 29, 2018, the Teva Defendants produced a corporate representative to testify pursuant to the Notice regarding "All actions and efforts previously taken, currently under way, and actions planned and expected to take place in the future which seek to address, fight or abate the opioid crisis." Under the Oklahoma Rules of Civil Procedure, depositions "shall not last more than six hours." 12 OS § 3230(A)(3). In addition, the Rules provide for a single notice for a corporate deposition on all topics, 12 OS § 3230(C)(5) ("A party may in **the notice** . . . name as the deponent a public or private corporation or a partnership or association or governmental agency and describe with reasonable particularity **the matters** on which examination is requested") (emphasis added). The Teva Defendants therefore object on the ground that the State's 42 Notices seek to compel them to provide witnesses to testify beyond 12 OS § 3230(A)(3)'s six hour time limit. The Teva Defendants further note that the State asked questions of the Teva Defendants' August 29, 2018 corporate witness that were demonstrably beyond the scope of the noticed topic, in direct violation of Judge Hetherington's April 25, 2018 Order. Subject to the objections set forth herein, the Teva Defendants will provide dates of availability and groups of topics for which it will produce a corporate representative, in order to avoid the immense burden of appearing for 42 separate

depositions. The Teva Defendants will produce their corporate representatives for deposition at the offices of GableGotwals, One Leadership Square, 15th Floor, 211 N. Robinson, Oklahoma City, Oklahoma 73102.

II. Objections to Time Period

The Teva Defendants object to the absence of any temporal limits in the Notices as overly broad and unduly burdensome because it requires them to provide information and/or documents that are outside the relevant statute(s) of limitations, are not relevant to the claims in the Petition, and are not proportional to the needs of the case. Subject to the objections set forth herein, the Teva Defendants will produce corporate representatives to provide testimony responsive to each Notice only during the relevant time period to the claims and defenses in this case.

III. General Objections

The Teva Defendants object to the immense breadth and scope of the Topics, including with regard to the number of products at issue and the time period. The Topics fail to describe with reasonable particularity the matters for examination. Further, the State's Notices are duplicative of one another and with the August 29, 2018 corporate witness deposition that the State already took. It is therefore unduly burdensome to require the Teva Defendants to produce a corporate witness to testify multiple times on the same subject matter. The Teva Defendants' also object to the Topics to the extent that they seek information that is protected from disclosure by the attorney-client privilege, the work product doctrine, the joint defense privilege, and the common interest privilege. The Teva Defendants also note that the breadth and scope becomes even more burdensome in the context of the compressed fact discovery period. The Teva Defendants are making significant efforts to prepare their designees for testimony and will only do what is reasonable under the circumstances. To the extent the Teva Defendants' agree to produce a witness in response to a Topic, the Teva Defendants will designate a witness to testify only on non-privileged information. All of the Teva Defendants' general objections are incorporated in their below responses to each Topic.

The Teva Defendants may engage in further investigation, discovery, and analysis, which may lead to changes in the Teva Defendants' responses and objections herein. Such investigation and discovery are continuing, and the responses and objections are given without prejudice to the Teva Defendants' right to produce evidence of any subsequently-discovered facts, documents, or interpretations thereof, or to supplement, modify, change, or amend the responses and objections, and to correct for errors, mistakes, or omissions.

IV. Objections to Subject Matters for Testimony

1. **Your interactions and communications with medical schools in Oklahoma, including without limitation, financial contributions, speeches, presentations, scholarships, event sponsorship, research grants, educational materials, and/or branded promotional materials.**

The Teva Defendants object to Topic No. 1 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case,

and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to "interactions and communications" regarding opioids.

2. **Your use of public relations firms and communication with journalists regarding opioids and/or pain management marketing, including without limitation, the American enterprise Institute, Cancer Action Network, Center for Lawful Access & Abuse Deterrence, Pinney Associates, Conrad & Associates LLC, and Sense About Science USA.**

The Teva Defendants object to Topic No. 2 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object to the term "pain management" as vague and/or ambiguous.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to the Teva Defendants' scope of engagement with public relations firms, and communication with journalists, regarding opioids.

3. **Your use of medical education communication companies (MECCs) regarding opioids and/or pain management marketing.**

The Teva Defendants object to Topic No. 3 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object to the term "pain management" as vague and/or ambiguous.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to the Teva Defendant's use of MECCs regarding opioids.

4. **Your use of speakers' bureaus, advisory boards, or other similar programs regarding opioids and/or pain management marketing.**

The Teva Defendants object to Topic No. 4 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object to the terms "other similar programs" and "pain management" as vague and/or ambiguous.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to the Teva Defendants' use of speakers' bureaus and advisory boards regarding opioids marketing.

5. **Your use of medical liaisons to communicate with Healthcare Professionals, KOLs, and/or Front Groups regarding opioids and/or pain treatment.**

The Teva Defendants object to Topic No. 5 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object to the terms "Front Groups" and "pain treatment" as vague and/or ambiguous.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to the Teva Defendants' use of medical liaisons to communicate with Healthcare Professional and KOLs regarding opioids.

6. **Your use of data provided by IMS, IQVIA or any similar data service for purposes of marketing and/or sales strategies.**

The Teva Defendants object to Topic No. 6 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to the Teva Defendant's use of data provided by IMS, IQVIA or any similar data services for purposes of marketing and/or sales strategies with respect to opioids in the State of Oklahoma.

7. **Your relationship and business dealings with other opioid manufacturers related to opioids and/or pain management, including without limitations any co-promotion or ownership agreements.**

The Teva Defendants object to Topic No. 7 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object to the terms "business dealings," "other opioid manufacturers," "pain management," "co-promotion," and "ownership agreements" as vague and/or ambiguous.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to the Teva Defendants' "relationship business dealings" regarding opioids.

8. **Your use of continuing medical education regarding opioids nationally and in Oklahoma, including the scope, strategy, purpose and goals with respect to such continuing medical education.**

The Teva Defendants object to Topic No. 8 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic.

9. Your scientific support for Your marketing statements and representations regarding the risks and benefits of opioids.

The Teva Defendants object to Topic No. 9 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic.

10. Your scientific support for Your marketing statements and representations regarding pseudoaddiction.

The Teva Defendants object to Topic No. 10 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to the Teva Defendants' "marketing statements and representations" regarding opioids.

11. The scope, strategy, purpose, and goals for Your opioids sales forces, including without limitation: training policies and practices; sales tactics; compensation structures; incentive programs; award programs; sales quotas; methods for assigning sales representatives to particular regions; facilities and/or physicians; and Your use of such sales forces in Oklahoma.

The Teva Defendants object to Topic No. 11 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative another Topic. The Teva Defendants further object to the terms "sales forces," "sales tactics," "compensation structures," and "sales quota" as vague and/or ambiguous.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic.

12. Your practices and processes for identifying and prioritizing physicians to detail.

The Teva Defendants object to Topic No. 12 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to the Teva Defendants' practices and processes for identifying and prioritizing physicians to detail with respect to opioids in the State of Oklahoma.

13. Your research of Oklahoma Healthcare Professionals' and/or pharmacies' opioid prescribing habits, history, trends, sales, practices and/or abuse and diversion of opioids.

The Teva Defendants object to Topic No. 13 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object to the term "research" as vague and/or ambiguous.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic.

14. Your use and/or establishment of any opioid abuse and diversion program You established and implemented to identify Healthcare professionals' and/or pharmacies' potential abuse or diversion of opioids.

The Teva Defendants object to Topic No. 14 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object to the term "research" as vague and/or ambiguous.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic.

15. Your use of 'do not call' lists or any similar list of prescribers that your sales representatives do not contact.

The Teva Defendants object to Topic No. 15 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to the Teva Defendants' use of 'do not call' lists or any similar list of prescribers that its sales representatives do not contact with respect to opioids in the State of Oklahoma.

16. Your efforts to identify high-prescribing health care providers in the State of Oklahoma.

The Teva Defendants object to Topic No. 16 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to the Teva Defendants' efforts to identify high-prescribing health care providers in the State of Oklahoma with respect to opioids.

17. Your efforts to identify low-prescribing health care providers in the State of Oklahoma.

The Teva Defendants object to Topic No. 17 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to the Teva Defendants' efforts to identify low-prescribing health care providers in the State of Oklahoma with respect to opioids.

18. Amounts spent by You on advertising and marketing related to opioids.

The Teva Defendants object to Topic No. 18 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object as this Topic seeks a quantifiable amount that is more efficiently and fairly answered through interrogatories.

Accordingly, the Teva Defendants propose to provide a written response to an appropriately propounded z seeking this information.

19. Your educational and/or research grants provided by You to individuals or entities regarding opioids and/or pain treatment.

The Teva Defendants object to Topic No. 19 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object to the term "pain treatment" as vague and/or ambiguous.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to educational and/or research grants provided by the Teva Defendants' to individuals or entities regarding opioids.

20. Your involvement with, and contributions to, non-profit organizations and professional societies, including the Front Groups.

The Teva Defendants object to Topic No. 20 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object to the term "Front Groups" as vague and/or ambiguous.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to the Teva Defendants' involvement with, and contributions to, non-profit organizations and professional societies regarding opioids.

21. Your involvement with, and contributions to KOLs regarding opioids and/pain treatment.

The Teva Defendants object to Topic No. 21 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object to the term "pain treatment" as vague and/or ambiguous.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to the Teva Defendants' involvement with, and contributions to KOLs regarding opioids.

22. Your use of branded marketing for opioids nationally and in Oklahoma including scope, strategy, purpose and goals with respect to such branded marketing.

The Teva Defendants object to Topic No. 22 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic.

23. Your use of unbranded marketing for opioids nationally and in Oklahoma including scope, strategy, purpose and goals with respect to such unbranded marketing.

The Teva Defendants object to Topic No. 23 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic.

24. Your actions and/or efforts in response to the FDA's September 10, 2013 response to the PROP Petition from July 25, 2012.

The Teva Defendants object to Topic No. 24 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic.

25. Your role, influence, or support for any campaign or movement to declare pain as the "Fifth Vital Sign."

The Teva Defendants object to Topic No. 25 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic.

26. Your efforts and actions, both internally and in conjunction with third parties, to obtain and/or increase coverage and/or reimbursement of their opioids by public payers, including SoonerCare.

The Teva Defendants object to Topic No. 26 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to the Teva Defendants' efforts and actions, both internally and in conjunction with third parties, to obtain and/or increase coverage and/or reimbursement of the Teva Defendants' opioids by public payers, including SoonerCare, in the State of Oklahoma.

27. Your efforts or activities in Oklahoma concerning opioids related to: (a) lobbying efforts; (b) campaign contributions; (c) presentations made to the Oklahoma Health Care Authority's Drug Utilization Review Board; (d) scheduling of opioids; (e) opposing the rescheduling hydrocodone combination products from Schedule III to Schedule II; (f) pain management guidelines in Oklahoma statutes; (g) legislative efforts or activities; (h) law enforcement; and (i) prosecution of any individual or entity related to use, misuse, abuse, diversion, supply, and prescription.

The Teva Defendants object to Topic No. 27 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case,

and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic.

28. All opioids manufactured, owned, contemplated, developed, and/or in-development by You including the nature of each such opioid, its intended use, and the stage of development of each (e.g. released to market, in development, abandoned).

The Teva Defendants object to Topic No. 28 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic.

29. All drugs for opioid use disorder manufactured, owned, contemplated, developed, and/or in-development by You including the nature of each such opioid use disorder drug, its intended use, the stage of development of each (e.g. released to market, in development, abandoned), and profits earned by You from the sale of any such drug in Oklahoma.

The Teva Defendants object to Topic No. 29 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object to the term "opioid use disorder" as vague and/or ambiguous.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic.

30. All drugs for the treatment of opioid overdose manufactured, owned, contemplated, developed, and/or in-development by You including the nature of each such opioid overdose drug, its intended use, the stage of development of each (e.g. released to market, in development, abandoned), and profits earned by You from the sale of any such drug in Oklahoma.

The Teva Defendants object to Topic No. 30 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object to the term "opioid overdose" as vague and/or ambiguous.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic.

31. Your use of clinical trial companies regarding opioids and/or pain management.

The Teva Defendants object to Topic No. 31 on the grounds that it is irrelevant, overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object to the term "pain management" as vague and/or ambiguous.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to the Teva Defendants' use of clinical trial companies regarding opioids.

32. Clinical trials funded, sponsored, and/or conducted by You regarding opioids and/or pain management.

The Teva Defendants object to Topic No. 32 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object to the term "pain management" as vague and/or ambiguous.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to clinical trials funded, sponsored, and/or conducted by the Teva Defendants' regarding opioids.

33. Your research conducted, funded, directed and/or influenced, in whole or in part, related to pseudoaddiction.

The Teva Defendants object to Topic No. 33 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object to the term "research" as vague and/or ambiguous.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic. The testimony will be limited to the Teva Defendants' "research" regarding opioids.

34. Research conducted, funded, directed and/or influenced by You, in whole or in part, related to opioid risks and/or efficacy.

The Teva Defendants object to Topic No. 34 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic.

35. Your involvement and participation in the Pain Care Forum.

The Teva Defendants object to Topic No. 35 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic.

36. The amount of revenue and profits earned by You attributable to and/or derived from the prescription of opioids by any Oklahoma doctor criminally investigated, charged, indicted, and/or prosecuted for prescribing practices related to opioids. For purposes of this topic, "prosecution" includes any administrative proceeding.

The Teva Defendants object to Topic No. 36 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object to this Topic on the grounds that Teva does not possess knowledge or information responsive to this Topic and cannot reasonably prepare a witness to testify to the information sought herein.

Accordingly, the Teva Defendants will not present a witness to testify on this Topic.

37. Your sales projections and/or research related to the amount of reimbursement for Your opioids prescriptions that would be paid by Medicare and/or Oklahoma's Medicaid Program.

The Teva Defendants object to Topic No. 37 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object to the terms "sales projections" and "research related to the amount of reimbursement" as vague and/or ambiguous.

Accordingly, the Teva Defendants propose to provide a written response to an appropriately propounded interrogatory seeking this information.

38. Amounts spent by You on research and development for opioids.

The Teva Defendants object to Topic No. 38 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object to the terms "research" and "development" as vague and/or ambiguous. The Teva Defendants further object as this Topic seeks a quantifiable amount that is more efficiently and fairly answered through interrogatories.

Accordingly, the Teva Defendants propose to provide a written response to an appropriately propounded interrogatory seeking this information.

39. Policies, practices, and procedures regarding complaints You received related to addiction or abuse of Your opioids in Oklahoma.

The Teva Defendants object to Topic No. 39 on the grounds that it is overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic. The Teva Defendants further object to the terms "policies", "practices" and "procedures" as vague and/or ambiguous.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic.

40. The factual bases supporting Your defenses to Plaintiff's claims as set forth in Your Answer.

The Teva Defendants object to Topic No. 40 on the grounds that it is overly broad, unduly burdensome, and not proportional to the needs of the case. The Teva Defendants further object to the extent that this Topic seeks legal opinion testimony. The Teva Defendants further object to the extent that this Topic seeks testimony implicating the attorney-client, work product, or any other applicable privilege or protection. An adequate response to this contention Topic requires substantial input and preparation by the Teva Defendants' counsel in assembling and organizing the facts that support each of the legal conclusions identified by this Topic. Responses to these inquiries can clearly be provided more efficiently and fairly through answers to interrogatories prepared by the Teva Defendants' legal counsel. *See TV Interactive Data Corp. v. Sony Corp.*, 2012 U.S. Dist. LEXIS 56861, 2012 WL 1413368, *2 (N.D. Cal. April 23, 2012); *Bank of Am., N.A. v. SFR Invs. Pool 1 LLC*, No. 2:15-cv-01042-APG-GWF, 2016 U.S. Dist. LEXIS 63534, at *11-12 (D. Nev. May 12, 2016) (requiring parties to serve contention interrogatories in lieu of a Rule 30(b)(6) deposition where the topic requires the responding party to provide its legal analysis on complex issues). The Teva Defendants further object that it would be impossible to designate a witness on all of the facts in this case.

Accordingly, the Teva Defendants will not present a witness to testify on this Topic, but will prepare written responses to appropriately propounded contention interrogatories seeking the factual basis for the Teva Defendants' affirmative defenses.

41. The source of ingredients, compounds or components, such as Thebaine (CPS-T), utilized by You in the manufacture of any opioids sold by You in the United States, including without limitation the amount of money paid to purchase such opioid compounds or components and U.S. Distribution and sale of CPS-T.

The Teva Defendants object to Topic No. 41 on the grounds that it is irrelevant, overly broad, unduly burdensome, seeks testimony irrelevant to this case, is not proportional to the needs of the case, and will not lead to the discovery of relevant and admissible evidence. The Teva Defendants further object as this Topic seeks testimony duplicative of another Topic.

Subject to and without waiver of the foregoing objections, the Teva Defendants will present a witness to testify on this Topic.

* * *

Please contact me with any questions.

Sincerely,

s/Harvey Bartle, IV

Harvey Bartle IV

cc: Counsel of Record

EXHIBIT E

Morgan Lewis

Harvey Bartle IV
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September 24, 2018

VIA E-MAIL

Trey Duck
Andrew Pate
NIX, PATTERSON & ROACH
3600 N. Capital of Texas Highway
Austin, Texas 78746

Re: State of Oklahoma v. Purdue Pharma L.P., et al, Case No. CJ-2017-816

Dear Counsel:

As per the September 21, 2018 meet & confer, and subject to their objections and the limitations set forth in our September 10, 2018 correspondence, the Teva Defendants will produce a witness to testify on November 7 and 8, 2018 on the below corporate deposition topics noticed by the State. The witness will be produced at GableGotwals in Oklahoma City, Oklahoma.

Topics

- Your interactions and communications with medical schools in Oklahoma, including without limitation, financial contributions, speeches, presentations, scholarships, event sponsorship, research grants, educational materials, and/or branded promotional materials.

- Your use of public relations firms and communication with journalists regarding opioids and/or pain management marketing, including without limitation, the American enterprise Institute, Cancer Action Network, Center for Lawful Access & Abuse Deterrence, Pinney Associates, Conrad & Associates LLC, and Sense About Science USA.

- Your use of medical education communication companies (MECCs) regarding opioids and/or pain management marketing.

- Your use of speakers' bureaus, advisory boards, or other similar programs regarding opioids and/or pain management marketing.

- Your use of medical liaisons to communicate with Healthcare Professionals, KOLs, and/or Front Groups regarding opioids and/or pain treatment.

- Your use of data provided by IMS, IQVIA or any similar data service for purposes of marketing and/or sales strategies.

- Your relationship and business dealings with other opioid manufacturers related to opioids and/or pain management, including without limitations any co-promotion or ownership agreements.

- Your use of continuing medical education regarding opioids nationally and in Oklahoma, including the scope, strategy, purpose and goals with respect to such continuing medical education.

- Your scientific support for Your marketing statements and representations regarding the risks and benefits of opioids.

- The scope, strategy, purpose, and goals for Your opioids sales forces, including without limitation: training policies and practices; sales tactics; compensation structures; incentive programs; award programs; sales quotas; methods for assigning sales representatives to particular regions; facilities and/or physicians; and Your use of such sales forces in Oklahoma.

- Your practices and processes for identifying and prioritizing physicians to detail.

- Your research of Oklahoma Healthcare Professionals' and/or pharmacies' opioid prescribing habits, history, trends, sales, practices and/or abuse and diversion of opioids.

- Your use and/or establishment of any opioid abuse and diversion program You established and implemented to identify Healthcare professionals' and/or pharmacies' potential abuse or diversion of opioids.

- Your use of 'do not call' lists or any similar list of prescribers that your sales representatives do not contact.

- Your efforts to identify high-prescribing health care providers in the State of Oklahoma.

- Your efforts to identify low-prescribing health care providers in the State of Oklahoma.

- Amounts spent by You on advertising and marketing related to opioids.[1]

- Your educational and/or research grants provided by You to individuals or entities regarding opioids and/or pain treatment.

- Your involvement with, and contributions to, non-profit organizations and professional societies, including the Front Groups.

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[1] As stated in our September 10, 2018 letter, this topic is more appropriately addressed via written interrogatory.

- Your involvement with, and contributions to KOLs regarding opioids and/pain treatment.

- Your use of branded marketing for opioids nationally and in Oklahoma including scope, strategy, purpose and goals with respect to such branded marketing.

We are working on dates for the remaining topics for which the Teva Defendants agreed to produce a witness and will get those to you shortly.

As always, please do not hesitate to contact me if you wish to further discuss scheduling.

Sincerely,

s/Harvey Bartle, IV

Harvey Bartle IV

cc: Counsel of Record