



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., )

Defendants. )

William C. Hetherington  
Special Discovery Master

STATE OF OKLAHOMA }  
CLEVELAND COUNTY } S.S.

FILED  
DEC 04 2018

In the office of the  
Court Clerk MARILYN WILLIAMS

**STATEMENT REGARDING COMPLIANCE WITH OCTOBER 22 ORDER  
& LIMITED REQUEST FOR CLARIFICATION/RELIEF**

On October 22, 2018, the Special Discovery Master Ordered the following:

State is Ordered to produce within 30 working days from the date of this order, final and complete responses and production, subject to newly discovered evidence required to be produced, relevant production in support of State's evidentiary proof model and Defendants' defense thereto, from the Office of the Medical Examiner, Oklahoma Department of Public Safety, Oklahoma State Board of Dentistry, Oklahoma State Board of Nursing, Oklahoma State Board of Pharmacy and the Oklahoma State Board of Veterinary Medical Examiners, all subject to previous

orders entered regarding protection of physician and patient privacy information.

Since the October 22 Order, the State has continued to consistently produce documents pursuant to the ordinary rolling-production schedule ordered by the Court. Specifically, since October 22, the State has produced:

- 29,533 documents, totaling 445,057 pages, from the Oklahoma Health Care Authority;
- 1,079 documents, totaling 10,363 pages, from the Oklahoma State Department of Health;
- 129 documents, totaling 929 pages, from the Oklahoma State Medical Board;
- 50 documents, totaling 117 pages, from the Oklahoma Bureau of Narcotics & Dangerous Drugs;
- 88 documents, totaling 503 pages, from the Oklahoma State Board of Osteopathic Examiners;
- 1 document, totaling 625 pages, from the American Pain Society;
- 242 documents, totaling 879 pages, from the American Geriatrics Society; and
- 8,749 documents, totaling 37,602 pages, from the Oklahoma Department of Mental Health & Substance Abuse Services.

And, with respect to the agencies listed in the October 22 Order in particular, the State has produced:

- 23,454 documents, totaling 148,586 pages, from the Oklahoma Office of the Chief Medical Examiner;
- 1,830 documents, totaling 12,430 pages, from the Oklahoma Board of Nursing;
- 51 documents, totaling 606 pages, from the Oklahoma Board of Dentistry;
- 6,057 documents, totaling 43,997 pages, from the Oklahoma State Board of Pharmacy; and
- 12,707 documents, totaling 45,592 pages, from the Oklahoma State Board of Veterinary Medical Examiners.

In sum, since October 22, the State has produced 83,970 documents for a total of 747,286 pages. To date, the State has produced a total of 122,010 documents, consisting of 1,322,669 pages, in this litigation.

The State has operated in good faith to complete production of documents from the agencies listed in the October 22 Order by the date ordered. Rather than simply begin production from these agencies and continue along the normal rolling schedule for this case, the State has invested considerable resources to expedite the production and review related to these agencies in an attempt to achieve “complete . . . production” by the date contemplated in the Order. To date, since the October 22 Order, the State has worked diligently to comply with this interpretation of the Court’s Order and has produced a total of 44,099 documents, totaling 251,211 pages, from the State Agencies listed in the October 22 Order.

While the State expects to substantially complete production under the October 22 Order by the date ordered, to the extent the Order requires complete production, the State respectfully requests additional time to produce certain information from two of the listed agencies. First, while the State has already completed production of over 6,000 documents from the Board of Pharmacy, the State expects to substantially complete production, producing several thousand more documents from this agency, by the beginning of next week. Second, the Board of Dentistry has collected additional documents for review and production but will require additional time to finish the collection and review process. The State aims to substantially complete production for the Board of Dentistry within thirty working days. If any additional documents are discovered from any of the listed agencies, the State will continue to produce such documents.

In sum, the State has substantially completed production in compliance with the October 22 Order, as described above. To the extent such is necessary, the State requests an additional

thirty working days in which to substantially complete its production from the Board of Pharmacy and the Board of Dentistry.

Respectfully submitted,



---

Michael Burrage, OBA No. 7850  
Reggie Whitten, OBA No. 9576  
WHITTEN BURRAGE  
512 N. Broadway Avenue, Suite 300  
Oklahoma City, OK 73102  
Telephone: (405) 516-7800  
Facsimile: (405) 516-7859  
Emails: mburrage@whittenburrage.com  
rwhitten@whittenburrage.com

Mike Hunter, OBA No. 4503  
ATTORNEY GENERAL FOR  
THE STATE OF OKLAHOMA  
Abby Dillsaver, OBA No. 20675  
GENERAL COUNSEL TO  
THE ATTORNEY GENERAL  
Ethan A. Shaner, OBA No. 30916  
DEPUTY GENERAL COUNSEL  
313 N.E. 21<sup>st</sup> Street  
Oklahoma City, OK 73105  
Telephone: (405) 521-3921  
Facsimile: (405) 521-6246  
Emails: abby.dillsaver@oag.ok.gov  
ethan.shaner@oag.ok.gov

Bradley E. Beckworth, OBA No. 19982  
Jeffrey J. Angelovich, OBA No. 19981  
Trey Duck, OBA No. 33347  
Drew Pate, *pro hac vice*  
NIX PATTERSON, LLP  
512 N. Broadway Avenue, Suite 200  
Oklahoma City, OK 73102  
Telephone: (405) 516-7800  
Facsimile: (405) 516-7859  
Emails: bbeckworth@nixlaw.com  
jangelovich@npraustin.com

Glenn Coffee, OBA No. 14563  
GLENN COFFEE & ASSOCIATES, PLLC  
915 N. Robinson Ave.  
Oklahoma City, OK 73102  
Telephone: (405) 601-1616  
Email: gcoffee@glenncoffee.com

**ATTORNEYS FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the above and foregoing was emailed on December 4, 2018 to:

Sanford C. Coats  
Joshua D. Burns  
CROWE & DUNLEVY, P.C.  
Braniff Building  
324 N. Robinson Ave., Ste. 100  
Oklahoma City, OK 73102

Sheila Birnbaum  
Mark S. Cheffo  
Hayden A. Coleman  
Paul A. Lafata  
Jonathan S. Tam  
Lindsay N. Zanello  
Bert L. Wolff  
Marina L. Schwartz  
Dechert, LLP  
Three Byant Park  
1095 Avenue of Americas  
New York, NY 10036-6797

Patrick J. Fitzgerald  
R. Ryan Stoll  
SKADDEN, ARPS, SLATE, MEAGHER &  
FLOM LLP  
155 North Wacker Drive, Suite 2700  
Chicago, Illinois 60606

Robert G. McCampbell  
Nicholas Merkley  
GABLEGOTWALS  
One Leadership Square, 15th Floor  
211 North Robinson  
Oklahoma City, OK 73102-7255

Steven A. Reed  
Harvey Bartle IV  
Jeremy A. Menkowitz  
MORGAN, LEWIS & BOCKIUS LLP  
1701 Market Street  
Philadelphia, PA 19103-2921

Brian M. Ercole  
MORGAN, LEWIS & BOCKIUS LLP  
200 S. Biscayne Blvd., Suite 5300  
Miami, FL 33131

Benjamin H. Odom  
John H. Sparks  
Michael Ridgeway  
David L. Kinney  
ODOM, SPARKS & JONES PLLC  
HiPoint Office Building  
2500 McGee Drive Ste. 140  
Oklahoma City, OK 73072

Charles C. Lifland  
Jennifer D. Cardelus  
Wallace Moore Allan  
O'MELVENY & MYERS LLP  
400 S. Hope Street  
Los Angeles, CA 90071

Stephen D. Brody  
David Roberts  
O'MELVENY & MYERS LLP  
1625 Eye Street NW  
Washington, DC 20006

Daniel J. Franklin  
Ross Galin  
O'Melveny & Myers LLP  
7 Time Square  
New York, NY 10036  
Telephone: (212) 326-2000

Robert S. Hoff  
Wiggin & Dana, LLP  
265 Church Street  
New Haven, CT 06510


Britta Erin Stanton  
John D. Volney  
John Thomas Cox III  
Eric Wolf Pinker  
LYNN PINKER COX & HURST LLP 2100 Ross  
Avenue, Suite 2700 Dallas, TX 75201

Larry D. Ottaway  
Amy Sherry Fischer  
FOLIART, HUFF, OTTAWAY & BOTTOM  
201 Robert S. Kerr Ave, 12<sup>th</sup> Floor  
Oklahoma City, OK 73102

Eric W. Snapp  
Dechert, LLP  
Suite 3400  
35 West Wacker Drive  
Chicago, IL 60601

Benjamin Franklin McAnaney  
DECHERT LLP  
2929 Arch Street  
Philadelphia, PA 19104

Amy Riley Lucas  
O'MELVENY & MYERS LLP  
1999 Avenue of the Stars, 8th Floor  
Los Angeles, California 90067

  
Michael Burrage