



IN THE DISTRICT COURT OF CLEVELAND COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel.,
MIKE HUNTER,
ATTORNEY GENERAL OF OKLAHOMA

For Judge Balkman's
Consideration

Plaintiff

SEALED

vs.

- (1) PURDUE PHARMA L.P.;
- (2) PURDUE PHARMA, INC.;
- (3) THE PURDUE FREDERICK
- (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.

STATE OF OKLAHOMA
CLEVELAND COUNTY
FILED In The
Office of the Court Clerk
MAR 02 2019

In the office of the
Court Clerk MARILYN WILLIAMS

Case No. CJ-2017-816
Honorable Thad Balkman

William C. Hetherington
Special Discovery Master

DEFENDANTS TEVA PHARMACEUTICALS USA, INC.,
CEPHALON, INC., WATSON LABORATORIES, INC., ACTAVIS LLC,
AND ACTAVIS PHARMA, INC., f/k/a WATSON PHARMA, INC.'S
MOTION FOR SUMMARY JUDGMENT AND BRIEF IN SUPPORT

SEALED

EXHIBIT 61 FILED UNDER SEAL

EXHIBIT 61

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

AFFIDAVIT OF CATHERINE H. UNDERWOOD, MBA, CAE

I, Catherine H. Underwood, MBA, CAE under penalty of perjury, hereby swear and affirm that the following facts are known to me personally, and am competent to testify to the matters asserted herein.

1. I served as the CEO of American Pain Society (“APS”) for eighteen years from 1999 to 2017.
2. APS is an interdisciplinary professional society of over 1,500 members, including basic science researchers, physicians from many specialties, psychologists, nurses, physical therapists, pharmacists, and other professionals interested in pain-related research and clinical care.
3. The good of the patient and the science behind pain has always been first and foremost for APS.
4. APS was the first society formed for the study of pain and has been dedicated to conducting and funding research (both pharmacologic and non-pharmacologic) in pain.
5. The publication of evidence-based guidelines has been a priority for APS since 1999 when the first guideline on Sickle Cell Disease was released.
6. APS and AAPM’s 2009 “Guideline for the Use of Chronic Opioid Therapy in Chronic Noncancer Pain” was created by a panel of medical professional members with varying viewpoints on opioid use for treating chronic pain. This panel followed rigorous standards of evaluating evidence before they made their recommendations.
7. APS is a member of the Collaboration on REMS Education (CO*RE), APS has joined with ten other professional organizations to deliver accredited content regarding

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appropriate pain treatment. That education is funded by the REMS Product Companies and administered through a third party and results are reported to the FDA.

8. Over the years, pharmaceutical companies have had exhibit booths at the APS Annual Scientific Meeting and the opportunity to provide Medical Liaisons to answer attendee questions about their drugs. Their exhibit fee and any educational grant support for APS helps to keep the cost to attendees at a reasonable level. The accredited program for the APS Annual Scientific Meeting is created by the Scientific Program Committee, free of influence from any company or organization.

9. While pharmaceutical companies have given donations and grants to APS, those companies had no control over how APS used the funding.

Further Affiant Sayeth Naught.

Catherine H. Underwood
CATHERINE H. UNDERWOOD, MBA, CAE

Subscribed and Sworn to Before Me
This 21st day of April, 2018

Janet R. Ottlinger
Notary Public

