

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

MDL No. 2804

Hon. Dan Aaron Polster

**NOTICE OF OBJECTION TO PLAINTIFFS' DISCLOSURE OF ARCOS DATA
IN RESPONSE TO PUBLIC RECORDS REQUESTS**

Undersigned counsel have received notice of three public records requests seeking disclosure of certain ARCOS data in the possession of certain Plaintiffs:

1. Open Records Law Request to the County of Cuyahoga, Ohio by the Washington Post in a letter dated June 7, 2018 ("Cuyahoga Request").
2. Open Records Law Request to the County of Summit, Ohio by the Washington Post in a letter dated June 7, 2018 ("Summit Request").
3. West Virginia Freedom of Information Act Request to the Cabell County Commission, West Virginia by HD Media Company, LLC in a letter dated June 11, 2018 ("Cabell County Request").

The data was produced by the Drug Enforcement Administration ("DEA") in this matter pursuant to the Court's Protective Order, Dkt. 167. The DEA has filed an objection to the Cuyahoga and Summit Requests, and requested the opportunity for briefing in the event the Court is inclined to allow production in response to the requests. Dkt. 603. Distributor Defendants separately filed an objection to the Cuyahoga and Summit Requests, and joined DEA's filing in full. Dkt. 605. The Manufacturer Defendants¹ join DEA's filing in full, and

¹ The Manufacturer Defendants are Endo Pharmaceuticals Inc.; Endo Health Solutions Inc.; Par Pharmaceutical, Inc. and Par Pharmaceuticals Companies, Inc.; Purdue Pharma L.P.; Purdue Pharma Inc.; The Purdue Frederick Company Inc.; Teva Pharmaceuticals USA, Inc.; Cephalon, Inc.; Actavis LLC, Actavis Pharma Inc fka Watson Pharma Inc, and Watson Laboratories Inc.; Johnson & Johnson; Janssen Pharmaceuticals, Inc.; Ortho-McNeil-Janssen Pharmaceuticals, Inc. n/k/a Janssen Pharmaceuticals, Inc.; Janssen Pharmaceutica, Inc. n/k/a Janssen Pharmaceuticals, Inc.; Insys Therapeutics, Inc., and Mallinckrodt LLC.

further object to the Cabell County Request. As submitters of information to DEA, Manufacturer Defendants have certain rights and opportunities to respond to requests for public disclosure pursuant to Executive Order 12,600, DEA regulations, and case law. Should the Court be inclined not to grant the relief requested by DEA and the Department of Justice (“DOJ”), Manufacturer Defendants request that the Court order DEA and DOJ to comply fully with the procedures established by Executive Order 12,600 and applicable agency regulations with respect to the particular data (if any) submitted by Manufacturer Defendants that is sought by the three instant FOIA requests and any other FOIA requests that may subsequently be made.

[SIGNATURE BLOCKS ON NEXT PAGE]

Dated: June 13, 2018

Respectfully submitted,

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*Attorneys for SpecGX LLC (not yet served or
appearing)*

CERTIFICATE OF SERVICE

I certify that, on June 13, 2018, I filed a copy of the foregoing Notice of Objection to Plaintiffs' Disclosure of ARCOS Data in Response to Public Records Requests electronically. The Court's electronic filing system will send notice of this filing to all parties. Parties may access this filing through the Court's system.

/s/ Charles C. Lifland
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