

Brief Historical Overview – legacy Actavis SOM Program:

Legacy Actavis Beginnings

- Customer service on generic side; started in late 2011, prior to MRC
 - Nancy Baran installed to oversee and manage
 - John Duff from Legal
- MRC pulled in at start of tenure in January 2012
- Use of ValueTrak Safe & Secure program to monitor retail level purchases
-

DEA Meetings

- DC meeting with SOM team in September 2012
 - Discussion of likely diversion of oxycodone in FL and other high risk states, from 2010 through 1st 2 quarters of 2012
- Local DEA meeting in late October
 - Essentially a request for 30 – 40% reduction in quota; which was declined
-

Customer follow-ups

- Legacy Actavis meeting with AmerisourceBergen in October 2012
-

Government inquiries

- DEA informal request about orders, received in November 2012
- DOJ subpoena, returnable January 2013, received in December 2012
 - Seeking documents related to legacy Actavis SOM and communications with ABC about “suspicious” orders or pharmacies
-

Recent developments

- Document discovery for January 2013 subpoena
 - Working with outside counsel, John Gilbert of Hyman Phelps
- Industry anti-diversion working group, meeting in Chicago on August 20
 - Initial communication from Mallinckrodt
 - To get DEA perspective, view anti-diversion regulatory framework and provide industry recommendations to DEA
- Need for Legal/Ethics presence in restructuring
 - Scope is up to Swanton and Napoli, but industry group is “run” by lawyers
 - Only offering guidance and advice, not management of program
-
-

PLAINTIFF TRIAL
EXHIBIT
P-02389_00001

$\Delta \pi$ EXHIBIT <u>4</u>
Deponent <u>Clarke</u>
Date <u>2/7/18</u> Rptr <u>lt</u>
WWW.DEPOBOOK.COM