

1 JAIME DORENBAUM, CA Bar No. 289555  
jdorenbaum@foley.com  
2 **FOLEY & LARDNER LLP**  
555 CALIFORNIA STREET, SUITE 1700  
3 SAN FRANCISCO, CA 94104-1520  
TELEPHONE: 415.984.9811  
4 FACSIMILE: 415.434.4507

5 JAMES W. MATTHEWS (appearance *Pro Hac Vice*)  
jmatthews@foley.com  
6 ANA M. FRANCISCO (appearance *Pro Hac Vice*)  
afrancisco@foley.com  
7 KATY E. KOSKI (appearance *Pro Hac Vice*)  
kkoski@foley.com

8 **FOLEY & LARDNER LLP**  
111 HUNTINGTON AVENUE  
9 BOSTON, MA 02199-7610  
TELEPHONE: 617.342.4000  
10 FACSIMILE: 617.342.4001

11 Attorneys for Defendant Anda, Inc.

12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**

14  
15 CITY AND COUNTY OF SAN FRANCISCO,  
16 et al.,

17 Plaintiffs,

18 vs.

19 PURDUE PHARMA L.P., et al.,

20 Defendants.  
21

Case No. 3:18-cv-07591-CRB

**ANDA INC.'S RESPONSES AND  
OBJECTIONS TO PLAINTIFF'S THIRD  
SET OF INTERROGATORIES TO ANDA,  
INC.**

Honorable Charles R. Breyer

22  
23  
24  
25  
26  
27  
28  
PLAINTIFFS TRIAL  
EXHIBIT

**P-17515\_0001**

ANDA, INC.'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S  
THIRD SET OF INTERROGATORIES TO ANDA, INC.  
Case No. 3:18-cv-07591-CRB

1 Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Defendant Anda, Inc. (herein  
2 “Anda”) hereby responds to Plaintiff’s Third Set of Interrogatories to it (the “Interrogatories”) as  
3 follows:

4 **PRELIMINARY STATEMENT**

5 1. The objections and responses provided herein are for use in this action and for no other  
6 purpose and are provided subject to that limitation.

7 2. Anda’s responses to the Interrogatories are made without in any way waiving or  
8 intending to waive:

9 a. any objections as to the competency, relevance, materiality, propriety, privilege,  
10 or admissibility as evidence, for any purpose, of any information or documents referred to or  
11 produced in response to the Interrogatories;

12 b. the right to object on any ground to the use of the information or documents  
13 produced in response to the Interrogatories at any hearings or at trial, or in any subsequent  
14 proceedings; or

15 c. the right at any time to revise, correct, add to, supplement, or clarify any of the  
16 responses contained herein.

17 3. Anda’s responses to the Interrogatories shall not be deemed to constitute admissions:

18 a. that any particular information, document or thing exists, is relevant, non-  
19 privileged, or admissible in evidence; or

20 b. that any statement or characterization in the Interrogatories is accurate or  
21 complete.

22 4. Anda reserves the right at any time to revise, supplement, correct, clarify, or add to these  
23 objections and responses. Anda further reserves the right to object on any ground and at any time to a  
24 demand for further responses to the Interrogatories, or for production of additional documents in  
25 response to the Interrogatories.

26 5. Anda’s objections and responses below are provided without prejudice to Anda’s right to  
27 produce evidence of any subsequently discovered facts. Anda therefore reserves its right to provide  
28 further responses as additional facts are ascertained.

1 ///

2 **GENERAL OBJECTIONS**

3 1. Anda objects to the Interrogatories insofar as they are vague, ambiguous, duplicative,  
4 overly broad, unduly burdensome or oppressive, or seek information or documents that are not relevant  
5 to any party’s claim or defense, not proportional to the needs of the case, and/or otherwise seek  
6 information beyond the scope provided for by the Federal Rules of Civil Procedure, or any other  
7 applicable laws or rules.

8 2. Anda objects to the Interrogatories as overly broad and unduly burdensome to the extent  
9 that the requested information is available from other sources, including publicly available sources  
10 and/or documents produced by the parties or third parties in *In Re National Prescription Opiate*  
11 *Litigation*, MDL No. 2804, Case No. 17-md-2804 (N.D. Ohio) (the “MDL”) or *The City and County of*  
12 *San Francisco, California and the People of the State of California, et al. v. Purdue Pharma L.P., et al.*,  
13 Case No. 3:18-cv-7591 (N.D. Cal.) (the “Litigation”).

14 3. Anda objects to the Interrogatories as overly broad and unduly burdensome to the extent  
15 they purport to seek documents and information not relevant nor reasonably likely to lead to the  
16 discovery of admissible evidence in the Litigation.

17 4. Anda objects to the Interrogatories as overly broad, unduly burdensome, oppressive, and  
18 not proportional to the needs of the case to the extent they purport to request information beyond the  
19 temporal and geographic scope relevant to this case. Unless otherwise indicated, Anda will provide  
20 information and/or documents in response to the Interrogatories using the geographic scope of the “Bay  
21 Area” counties in California as described in the Court’s ruling in Discovery Order No. 3 (Dkt. No. 419)<sup>1</sup>  
22 (the “Relevant Geographic Regions”) and temporal scope used in the MDL (the “Relevant Time  
23 Period”), and will supplement its responses to be consistent with any ruling by the Court applicable to  
24 Anda on the temporal and geographic scope of discovery.

25  
26  
27  
28 <sup>1</sup> Pursuant to Discovery Order No. 3, the “Bay Area” counties are “San Francisco, Alameda, Contra  
Costa, Sonoma, Marin, San Mateo, Santa Clara, Solano and Napa.” (Dkt. No. 419, p. 1.)

1           5.       Anda objects to the Interrogatories as overly broad, unduly burdensome, oppressive, and  
2 not proportional to the needs of the case with respect to Anda in particular, including without limitation  
3 due to the breadth of the requested information and/or documents.

4           6.       Anda objects to the Interrogatories to the extent that they seek to impose obligations  
5 broader than, or inconsistent with, Anda's obligations under the Federal Rules of Civil Procedure, the  
6 applicable local rules, other applicable laws or rules, and/or any other applicable court order(s).

7           7.       Anda objects to any implications and to any explicit or implicit characterization of facts,  
8 events, circumstances, or issues in the Interrogatories. Anda's responses are not intended to indicate that  
9 Anda adopts, concedes, or agrees with any implication or any explicit or implicit characterization of  
10 facts, events, circumstances, or issues described by Plaintiff in the Interrogatories, or that such  
11 implications or characterizations are accurate and/or relevant to the Litigation.

12          8.       Anda objects to the extent the Interrogatories incorrectly imply that Anda engaged in any  
13 of the conduct characterized or otherwise referenced in the Interrogatories. The responses to the  
14 Interrogatories are not intended to indicate that Anda adopts, concedes, or agrees with any such  
15 implications or characterizations, or that such implications or characterizations are accurate and/or  
16 relevant to the Litigation.

17          9.       Anda objects to the Interrogatories insofar as they seek communications or other  
18 information protected from discovery by the attorney-client privilege, work product doctrine, or other  
19 privilege or protection, or seek communications or other information otherwise immune or protected  
20 from discovery and/or disclosure. Anda does not intend to waive any applicable privileges or  
21 protections by supplying information in response to the Interrogatories. On the contrary, Anda  
22 specifically intends to preserve any and all applicable privileges or protections.

23          10.       Inadvertent disclosure of any information or production of any document in response to  
24 the Interrogatories shall not constitute a waiver of any privilege or any other ground for objecting to  
25 discovery with respect to such information or document (or any other information or document), or with  
26 respect to the subject matter thereof, nor shall such inadvertent production waive Anda's right to  
27 demand the return of such information or document pursuant to the terms of the relevant Case  
28 Management Order and Protective Order entered in this case.

1 11. Anda objects to the Interrogatories to the extent they seek any other confidential,  
2 proprietary, or commercially sensitive information and/or trade secrets. Anda will only produce such  
3 confidential, proprietary, or commercially sensitive information and/or trade secrets subject to the terms  
4 of the relevant Case Management Order and Protective Order entered in this case.

5 12. Anda objects to the “Definitions” and “Instructions” in the Interrogatories to the extent  
6 they purport to impose discovery obligations on Anda greater than those imposed or authorized by the  
7 Federal Rules of Civil Procedure, the applicable local rules, other applicable laws or rules, and/or any  
8 other applicable court order(s).

9 13. Anda objects to the Interrogatories definition of “You” and “Your” as vague, ambiguous,  
10 overly broad, and unduly burdensome, including without limitation to the extent it purports to include  
11 Anda’s corporate parent, subsidiaries, or affiliates.

12 14. Anda objects to the Interrogatories’ definition of “Document” to the extent it exceeds the  
13 scope of Fed. R. Civ. P. 34(a)(1)(A) or (B).

14 15. Anda objects to the Interrogatories’ definition of “Communications” as overly broad,  
15 unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and not  
16 proportional to the needs of the case, including without limitation because it purports to require the  
17 search and collection of sources such as “messages on ‘social networking’ sites” and “shared  
18 applications from cell phones.”

19 16. Anda objects to the Interrogatories’ definition of “Opioid(s)” as vague, ambiguous, and  
20 overly broad, including, without limitation to the extent it purports to include substances “used to  
21 control pain, including, but not limited to, the drugs referenced in Plaintiff’s First Amended Complaint  
22 in the above-referenced matter.” Anda will produce documents in response to these Interrogatories as  
23 set forth in the individual Responses below and consistent with the MDL Court’s rulings setting forth  
24 the products at issue, i.e., Discovery Ruling No. 2 (Dkt. 693) (“Defendants shall produce discovery  
25 related to all opioid products that are or ever were classified as Schedule II under the Controlled  
26 Substances Act”).

27 17. Anda objects to the Interrogatories’ definition of “Customer” as vague, ambiguous, and  
28 overly broad, including without limitation to the extent it purports to include entities that “indirectly”  
received products distributed by Anda. Anda responds to the Interrogatories using a definition of

1 “Customer” limited to entities that directly received shipments from Anda during the Relevant Time  
2 Period of the drugs set forth in the MDL Court’s rulings setting forth the products at issue, described  
3 above.

4 18. Anda objects to the Interrogatories’ definition of “Suspicious Order” as vague and  
5 ambiguous to the extent it purports to be “defined by DEA.” DEA has not defined the term “suspicious  
6 order.” Anda further objects to the definition of “Suspicious Order” as overly broad, unduly  
7 burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and not  
8 proportional to the needs of the case. Anda further objects to the definition of “Suspicious Order” due to  
9 its incorporation of the defined terms “Opioid(s).”

10 19. Anda objects to the Interrogatories’ instruction that they cover the time period from “one  
11 year prior to the launch of each relevant Opioid through the date of Your response” as overly broad,  
12 unduly burdensome, and not proportional to the needs of the case, including without limitation because  
13 it purports to require Anda to search for and produce documents (to the extent they even exist and are  
14 accessible) that are outside the relevant statute(s) of limitations and are not relevant to Plaintiff’s claims.  
15 Anda will provide information from the Relevant Time Period in response to these Interrogatories.

16 20. Anda objects to the Interrogatories’ instruction regarding referencing “the Bates stamp  
17 range” of documents “produced in discovery in any MDL proceeding,” as well as to certain of the  
18 Interrogatories’ instruction to identify the Bates stamp range in response, as overly broad, unduly  
19 burdensome, and not proportional to the needs of the case, including without limitation because it  
20 purports to impose obligations on Anda beyond the requirements of the Federal Rules of Civil Procedure  
21 and this Court’s orders.

22 21. Anda objects to the Interrogatories’ instruction regarding the production of electronically  
23 stored information (“ESI”), video, and audio files. Anda will produce documents and ESI in accordance  
24 with the ESI Order applicable in this case. (Dkt. No. 279.)

25 22. Anda reserves the right to assert additional objections to the Interrogatories as appropriate  
26 and to amend or supplement the objections and responses herein in accordance with applicable rules and  
27 court order(s). Anda also reserves the right to object to the use of any of its responses – and/or any  
28 documents or other information produced in response to the Interrogatories – at trial or other hearing or  
proceeding, as Anda deems necessary and/or appropriate. To the extent that Anda may provide

1 information in response to any Interrogatories herein, Anda does so without limiting or waiving any  
2 objections otherwise available to it.

3 Each of the General Objections set forth above are incorporated into Anda's answers to the  
4 Interrogatories set forth below.

5 **ANSWERS TO INTERROGATORIES**

6 **INTERROGATORY NO. 1:**

7 For each Customer in San Francisco, please separately identify by bates number(s) each  
8 customer questionnaire Anda obtained for the Customer.

9 **RESPONSE TO INTERROGATORY NO. 1:**

10 Anda objects to this Interrogatory by adopting and incorporating by reference its Preliminary  
11 Statement and General Objections. Anda further objects to this Interrogatory on the grounds that it is  
12 vague and ambiguous, particularly the undefined term "customer questionnaire." Anda objects to this  
13 Interrogatory as cumulative, duplicative, overly broad, unduly burdensome and oppressive, and not  
14 proportional to the needs of the case, including, without limitation, insofar as it purports to impose a  
15 temporal scope of nearly twenty-five years; insofar as it seeks information previously provided in  
16 discovery; insofar as it assumes facts; and insofar as it improperly seeks to force Anda to prepare  
17 Plaintiff's case for it by providing information equally accessible to Plaintiff as to Anda. Anda further  
18 objects to this Interrogatory for seeking information regarding specific "Customer[s]," when Plaintiff  
19 has expressly disclaimed the relevance of individual orders or prescriptions to its claims, in favor of  
20 aggregate proof. *See, e.g.*, Dec. 9, 2020 Tiffany Ellis Letter to Eric Buhr, p. 4 ("The People reiterate that  
21 the People do not attribute any injury that they have suffered to any individual suspicious orders or  
22 individual prescriptions, but to the aggregate of Defendants' creation of and contribution to a public  
23 nuisance . . . the People will not identify suspicious orders or prescriptions tied to specific injury.").

24 Subject to Anda's Preliminary Statement, General Objections, and Specific Objections, Anda  
25 construes this Interrogatory as seeking documents related to the due diligence it performed related to  
26 entities located in the City and County of San Francisco that directly received shipments from Anda of  
27 the relevant prescription opioid medications. Exemplars of such documents are included by bates  
28 number on the attached **Appendix A**, and Anda directs Plaintiff to such documents pursuant to Federal

1 Rule of Civil Procedure 33(d). Anda further directs Plaintiff to its Second Supplemental Responses to  
2 Plaintiffs' First Set of Interrogatories to Anda, Inc., and Appendix B thereto, which it specifically  
3 incorporates herein by reference.

4 **INTERROGATORY NO. 2:**

5 For each Customer in San Francisco, please separately identify by bates number(s), all  
6 dispensing data collected for each Customer.

7 **RESPONSE TO INTERROGATORY NO. 2:**

8 Anda objects to this Interrogatory by adopting and incorporating by reference its Preliminary  
9 Statement and General Objections. Anda further objects to this Interrogatory on the grounds that it is  
10 vague and ambiguous, particularly the undefined term "dispensing data." Anda further objects to this  
11 Interrogatory as cumulative, duplicative, overly broad, unduly burdensome and oppressive, and not  
12 proportional to the needs of the case, including, without limitation, insofar as it purports to impose a  
13 temporal scope of nearly twenty-five years; insofar as it seeks information previously provided in  
14 discovery; insofar as it assumes facts; and insofar as it improperly seeks to force Anda to prepare  
15 Plaintiff's case for it by providing information equally accessible to Plaintiff as to Anda. Anda further  
16 objects to this Interrogatory for seeking information regarding specific "Customer[s]," when Plaintiff  
17 has expressly disclaimed the relevance of individual orders or prescriptions to its claims, in favor of  
18 aggregate proof. *See, e.g.*, Dec. 9, 2020 Tiffany Ellis Letter to Eric Buhr, p. 4 ("The People reiterate that  
19 the People do not attribute any injury that they have suffered to any individual suspicious orders or  
20 individual prescriptions, but to the aggregate of Defendants' creation of and contribution to a public  
21 nuisance . . . the People will not identify suspicious orders or prescriptions tied to specific injury.").

22 Subject to Anda's Preliminary Statement, General Objections, and Specific Objections, Anda  
23 refers Plaintiff to its Response to Interrogatory No. 1, which it specifically incorporates herein by  
24 reference.

25 **INTERROGATORY NO. 3:**

26 For each instance where Anda authorized a Customer in San Francisco to be able to purchase  
27 Opioids, please identify by bates number(s), and separately as to each Customer, each document Anda  
28



1 relied upon in rendering its decision to provide the authorization.

2 **RESPONSE TO INTERROGATORY NO. 3:**

3        Anda objects to this Interrogatory by adopting and incorporating by reference its Preliminary  
4 Statement and General Objections. Anda further objects to this Interrogatory on the grounds that it is  
5 vague and ambiguous, particularly the undefined terms or phrases “authorized,” and “relied upon.”  
6 Anda further objects to this Interrogatory as cumulative, duplicative, overly broad, unduly burdensome  
7 and oppressive, and not proportional to the needs of the case, including, without limitation, insofar as it  
8 purports to impose a temporal scope of nearly twenty-five years; insofar as it seeks information  
9 previously provided in discovery; insofar as it assumes facts; and insofar as it improperly seeks to force  
10 Anda to prepare Plaintiff’s case for it by providing information equally accessible to Plaintiff as to  
11 Anda. Anda further objects to this Interrogatory to the extent it seeks information protected by the  
12 attorney-client privilege, work product doctrine, and any other applicable privileges or protections.  
13 Anda further objects to this Interrogatory for seeking information regarding specific “Customer[s],”  
14 when Plaintiff has expressly disclaimed the relevance of individual orders or prescriptions to its claims,  
15 in favor of aggregate proof. *See, e.g.,* Dec. 9, 2020 Tiffany Ellis Letter to Eric Buhr, p. 4 (“The People  
16 reiterate that the People do not attribute any injury that they have suffered to any individual suspicious  
17 orders or individual prescriptions, but to the aggregate of Defendants’ creation of and contribution to a  
18 public nuisance . . . the People will not identify suspicious orders or prescriptions tied to specific  
19 injury.”).

20        Subject to Anda’s Preliminary Statement, General Objections, and Specific Objections, Anda  
21 refers Plaintiff to its Response to Interrogatory No. 1, which it specifically incorporates herein by  
22 reference.

23 **INTERROGATORY NO. 4:**

24        For each instance where Anda authorized a Customer in San Francisco to be able to purchase  
25 Opioids, please identify by bates number(s), and separately as to each Customer, all documents and  
26 communications related to Anda’s decision.

27 **RESPONSE TO INTERROGATORY NO. 4:**

28        Anda objects to this Interrogatory by adopting and incorporating by reference its Preliminary

1 Statement and General Objections. Anda further objects to this Interrogatory on the grounds that it is  
2 vague and ambiguous, particularly the undefined term “authorized.” Anda further objects to this  
3 Interrogatory as cumulative, duplicative, overly broad, unduly burdensome and oppressive, and not  
4 proportional to the needs of the case, including, without limitation, insofar as it purports to impose a  
5 temporal scope of nearly twenty-five years; insofar as it seeks information previously provided in  
6 discovery; insofar as it assumes facts; and insofar as it improperly seeks to force Anda to prepare  
7 Plaintiff’s case for it by providing information equally accessible to Plaintiff as to Anda. Anda further  
8 objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege,  
9 work product doctrine, and any other applicable privileges or protections. Anda further objects to this  
10 Interrogatory for seeking information regarding specific “Customer[s],” when Plaintiff has expressly  
11 disclaimed the relevance of individual orders or prescriptions to its claims, in favor of aggregate proof.  
12 *See, e.g.*, Dec. 9, 2020 Tiffany Ellis Letter to Eric Buhr, p. 4 (“The People reiterate that the People do  
13 not attribute any injury that they have suffered to any individual suspicious orders or individual  
14 prescriptions, but to the aggregate of Defendants’ creation of and contribution to a public nuisance . . .  
15 the People will not identify suspicious orders or prescriptions tied to specific injury.”).

16 Subject to Anda’s Preliminary Statement, General Objections, and Specific Objections, Anda  
17 refers Plaintiff to its Response to Interrogatory No. 1, which it specifically incorporates herein by  
18 reference.

19 **INTERROGATORY NO. 5:**

20 For each instance where a Customer requested Anda to change the threshold limit for the  
21 quantity of Opioids a San Francisco Customer was able to purchase from Anda, identify by name(s)  
22 number, and separately as to each Customer:

- 23 a. all documents and communications related to the request; and
- 24 b. whether Anda granted or denied the request.

25 **RESPONSE TO INTERROGATORY NO. 5:**

26 Anda objects to this Interrogatory by adopting and incorporating by reference its Preliminary  
27 Statement and General Objections. Anda further objects to this Interrogatory on the grounds that it is  
28 vague and ambiguous, particularly the undefined term “threshold limit.” Anda further objects to this

1 Interrogatory as cumulative, duplicative, overly broad, unduly burdensome and oppressive, and not  
2 proportional to the needs of the case, including, without limitation, insofar as it purports to impose a  
3 temporal scope of nearly twenty-five years; insofar as it seeks information previously provided in  
4 discovery; insofar as it assumes facts; and insofar as it improperly seeks to force Anda to prepare  
5 Plaintiff’s case for it by providing information equally accessible to Plaintiff as to Anda. Anda further  
6 objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege,  
7 work product doctrine, and any other applicable privileges or protections. Anda further objects to this  
8 Interrogatory for seeking information regarding specific “Customer[s],” when Plaintiff has expressly  
9 disclaimed the relevance of individual orders or prescriptions to its claims, in favor of aggregate proof.  
10 *See, e.g.,* Dec. 9, 2020 Tiffany Ellis Letter to Eric Buhr, p. 4 (“The People reiterate that the People do  
11 not attribute any injury that they have suffered to any individual suspicious orders or individual  
12 prescriptions, but to the aggregate of Defendants’ creation of and contribution to a public nuisance . . .  
13 the People will not identify suspicious orders or prescriptions tied to specific injury.”).

14 Subject to Anda’s Preliminary Statement, General Objections, and Specific Objections, Anda  
15 refers Plaintiff to its Response to Interrogatory No. 1, which it specifically incorporates herein by  
16 reference.

17 **INTERROGATORY NO. 6:**

18 Identify each order for Opioids placed by a San Francisco Customer that Anda identified as an  
19 “Order of Interest” pursuant to Anda’s Standard Operating Procedure 40, including:

- 20 a. the date of the order;
- 21 b. the quantity of Opioids ordered;
- 22 c. Anda’s disposition of the order; and
- 23 d. the bates number(s) of all documents related to Anda’s decision whether to suspend,

24 fulfill or modify the order.

25 **RESPONSE TO INTERROGATORY NO. 6:**

26 Anda objects to this Interrogatory by adopting and incorporating by reference its Preliminary  
27 Statement and General Objections. Anda further objects to this Interrogatory on the grounds that it is  
28 vague and ambiguous, particularly the terms “identified” and “disposition.” Anda objects to this

1 Interrogatory as vague, ambiguous, cumulative, duplicative, overly broad, unduly burdensome and  
2 oppressive, not proportional to the needs of the case, and for seeking information not relevant to the  
3 subject matter of this case, including, without limitation, insofar as it purports to impose a temporal  
4 scope of nearly twenty-five years; insofar as it seeks information previously provided in discovery; and  
5 insofar as it assumes facts. Anda specifically objects to this Interrogatory as duplicative of Plaintiff's  
6 Interrogatory No. 1 from Plaintiff's First Set of Interrogatories to Defendant Anda, Inc. Anda further  
7 objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege,  
8 work product doctrine, and any other applicable privileges or protections. Anda specifically objects to  
9 the use of the term "Order of Interest" as vague, ambiguous, misleading, overly broad and unduly  
10 burdensome, and to the extent it calls for a legal conclusion. Anda further objects to this Interrogatory  
11 for seeking information regarding specific "Orders of Interest," when Plaintiff has expressly disclaimed  
12 the relevance of such information to its claims, in favor of aggregate proof. *See, e.g.*, Dec. 9, 2020  
13 Tiffany Ellis Letter to Eric Buhr, p. 4 ("The People reiterate that the People do not attribute any injury  
14 that they have suffered to any individual suspicious orders or individual prescriptions, but to the  
15 aggregate of Defendants' creation of and contribution to a public nuisance . . . the People will not  
16 identify suspicious orders or prescriptions tied to specific injury").

17 Subject to Anda's Preliminary Statement, General Objections, and Specific Objections, Anda  
18 refers Plaintiff to its Response and Supplemental Response to Interrogatory No. 1 from Plaintiff's First  
19 Set of Interrogatories to Defendant Anda, Inc., which it specifically incorporates herein by reference.

20 **INTERROGATORY NO. 7:**

21 For each Customer to whom Anda sold Opioids within San Francisco identify:

- 22 a. each employee or agent of Anda who received a commission, sales incentive, bonus or  
23 other form of direct or indirect compensation based on the sale; and  
24 b. the basis upon which such a commission, sales incentive, bonus or other form of direct or  
25 indirect compensation was calculated.

26 **RESPONSE TO INTERROGATORY NO. 7:**

27 Anda objects to this Interrogatory by adopting and incorporating by reference its Preliminary  
28 Statement and General Objections. Anda objects to this Request to the extent it seeks materials and

1 information protected by the attorney-client privilege, work product doctrine, and any other applicable  
2 privileges or protections. Anda objects to this Interrogatory on the grounds that it is vague and  
3 ambiguous, particularly the undefined term “sales incentive.” Anda further objects to this Request as  
4 duplicative, cumulative, overly broad, unduly burdensome and oppressive, and for seeking materials not  
5 relevant to the subject matter of this case, including, without limitation, insofar as it purports to require  
6 Anda to provide information unrelated to this case; insofar as it purports to impose a temporal scope of  
7 nearly twenty-five years; insofar as it assumes facts; and insofar as it is duplicative and cumulative of  
8 identical discovery already obtained through discovery requests and depositions in the MDL. Anda  
9 further objects to this Request to the extent that it seeks confidential compensation information.

10 Subject to Anda’s Preliminary Statement, General Objections, and Specific Objections, Anda  
11 states that the compensation system for its sales representatives was specifically described in detail  
12 during the following depositions, including as two specific topics noticed by Plaintiff for the Fed. R.  
13 Civ. P. 30(b)(6) Deposition of Anda, which testimony and associated exhibits Anda expressly  
14 incorporates herein by reference: Anda Rule 30(b)(6) (Patrick Cochrane), dated 1/24/19 (*see, e.g.*  
15 250:3-21); and Patricia Williams, dated 12/13/18 (*see, e.g.,* 67:16-74:9, 81:19-84:7, 151:13-155:20).  
16 Anda further refers Plaintiff to the various discovery Anda has already provided specific to this topic,  
17 including but not limited to its March 5, 2019 Supplemental Response to Interrogatory No. 29  
18 previously provided in the MDL, as well as to its document productions produced or deemed produced  
19 in this case.

20 **INTERROGATORY NO. 8:**

21 For each Supply Chain Symposium hosting in full or in part by Anda please identify:

- 22 a. each person and/or organization in attendance including each attendee’s name, job title,  
23 and affiliated company or organization;
- 24 b. by Bates number, each piece of communication and/or material sent or distributed to  
25 Symposium attendees prior to, during, or following any Symposium attended;
- 26 c. all sources of funding and/or non-monetary in kind support Anda received from any  
27 outside entity in order to host each Symposium.
- 28

1 **RESPONSE TO INTERROGATORY NO. 8:**

2           Anda objects to this Interrogatory by adopting and incorporating by reference its Preliminary  
3 Statement and General Objections. Anda further objects to this Interrogatory on the grounds that it is  
4 vague and ambiguous. Anda further objects to this Interrogatory as overly broad, unduly burdensome  
5 and oppressive, and for seeking materials not relevant to the subject matter of this case, including,  
6 without limitation, insofar as it purports to require Anda to provide information unrelated to this case;  
7 insofar as it purports to impose an unlimited geographic scope; insofar as it purports to impose a  
8 temporal scope of nearly twenty-five years; and insofar as it assumes facts.

9           Subject to Anda’s Preliminary Statement, General Objections, and Specific Objections, pursuant  
10 to Fed. R. Civ. P. 33(d), Anda refers Plaintiff to its document productions deemed produced or produced  
11 in this matter, including specifically the documents bates labeled Anda\_Opioids\_CA\_SF\_0074856 to  
12 Anda\_Opioids\_CA\_SF\_0074897, which contain information responsive to this Interrogatory.

13  
14  
15 DATED: November 12, 2021

**FOLEY & LARDNER LLP**  
Katy E. Koski

/s/ Katy E. Koski  
Jaime Dorenbaum  
James W. Matthews (appearance *Pro Hac Vice*)  
Ana M. Francisco (appearance *Pro Hac Vice*)  
Katy E. Koski (appearance *Pro Hac Vice*)

Attorneys for Defendant  
ANDA, INC.

1 **VERIFICATION**

2 I, Jay Spellman, hereby state that I am the Executive Director of Regulatory Compliance and  
3 Distribution for Defendant Anda, Inc. and verify that the statements made in the foregoing Responses  
4 and Objections to Plaintiff's Third Set of Interrogatories to Anda, Inc. are true and correct to the best of  
5 my knowledge, information and belief.  
6

7  
8 

9 Jay Spellman  
10 Executive Director of Regulatory Compliance and Distribution  
11 Anda, Inc.

11 Date: 11/11/2021  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28