## UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO EASTERN DIVISION

IN RE NATIONAL PRESCRIPTION ) OPIATE LITIGATION<br>This document applies to:<br>) MDL No. 2804<br>The County of Summit, Ohio. v. Purdue<br>Pharma L.P., Case No. 18-OP-45090;<br>Case No. 17-md-2804<br>The County of Cuyahoga v. Purdue Pharma<br>Judge Dan Aaron Polster<br>L.P., Case No. 17-OP-45004; and<br>)<br>L.P., Case No. 17-OP-45004, and )<br>City of Cleveland v. AmerisourceBergen Drug Corp., Case No. 18-OP-45132

## DEFENDANT ANDA, INC.'S THIRD SUPPLEMENTAL RESPONSE TO PLAINTIFFS' <br> FIRST SET OF INTERROGATORIES

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Defendant Anda, Inc. (herein "Anda") hereby supplements its response to certain Interrogatories ${ }^{1}$ contained in Plaintiffs' First Set of Interrogatories (the "Interrogatories") as follows:

## PRELIMINARY STATEMENT

1. The responses provided herein are for use in this action and for no other purpose and are provided subject to that limitation.
2. Anda's responses to the Interrogatories are made without in any way waiving or intending to waive:

[^0]a. any objections as to the competency, relevance, materiality, propriety, privilege, or admissibility as evidence, for any purpose, of any information or documents referred to or produced in response to the Interrogatories;
b. the right to object on any ground to the use of the information or documents produced in response to the Interrogatories at any hearings or at trial, or in any subsequent proceedings; or
c. the right at any time to revise, correct, add to, supplement, or clarify any of the responses contained herein.
3. Anda's responses to the Interrogatories shall not be deemed to constitute admissions:
a. that any particular information, document or thing exists, is relevant, nonprivileged, or admissible in evidence; or
b. that any statement or characterization in the Interrogatories is accurate or complete.
4. Anda reserves the right at any time to revise, supplement, correct, clarify, or add to these objections and responses. Anda further reserves the right to object on any ground and at any time to a demand for further answers to the Interrogatories, or for production of additional information in response to the Interrogatories.
5. Anda's responses below are provided without prejudice to Anda's right to produce evidence of any subsequently discovered facts. Anda therefore reserves its right to provide further responses as additional facts are ascertained.

## GENERAL OBJECTIONS

1. Anda objects to the Interrogatories insofar as they are vague, ambiguous, cumulative, duplicative, overly broad, unduly burdensome or oppressive, or seek information or

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documents that are not relevant to any party's claim or defense, not proportional to the needs of the case, and/or otherwise seek information beyond the scope provided for by the Federal Rules of Civil Procedure, or any other applicable laws or rules.
2. Anda objects to the Interrogatories as overly broad and unduly burdensome to the extent that the requested information is available from other sources, including publicly available sources and/or documents produced by the parties or third parties in In Re National Prescription Opiate Litigation, MDL No. 2804, Case No. 17-md-2804 (N.D. Ohio) (the "Litigation").
3. Anda objects to the Interrogatories as overly broad and unduly burdensome to the extent they purport to seek information not relevant nor reasonably likely to lead to the discovery of admissible evidence in the three Track One cases set forth in Paragraph 3(a) of Case Management Order One (Dkt. 232): The County of Summit, Ohio. v. Purdue Pharma L.P., Case No. 18-OP-45090 (N.D. Ohio); The County of Cuyahoga v. Purdue Pharma L.P., Case No. 17-OP-45004 (N.D. Ohio); and City of Cleveland v. AmerisourceBergen Drug Corp., Case No. 18-OP-45132 (N.D. Ohio) (the "Track One Cases").
4. Anda objects to the Interrogatories as overly broad, unduly burdensome, oppressive, and not proportional to the needs of the case to the extent they purport to request information beyond the temporal and geographic scope set forth in Discovery Ruling No. 2 (Dkt. No. 693) and Discovery Ruling No. 3 (Dkt. No. 762). Anda will provide information and/or documents in response to the Interrogatories as set forth in the individual Responses below, and consistent with the Court's ruling on the temporal and geographic scope of discovery.
5. Anda objects to the Interrogatories to the extent that they seek to impose obligations broader than, or inconsistent with, Anda's obligations under the Federal Rules of

Civil Procedure, the applicable local rules, other applicable laws or rules, and/or any other applicable court order(s).
6. Anda objects to any implications and to any explicit or implicit characterization of facts, events, circumstances, or issues in the Interrogatories. Anda's responses to the Interrogatories are not intended to indicate that Anda adopts, concedes, or agrees with any implication or any explicit or implicit characterization of facts, events, circumstances, or issues described by Plaintiff in the Interrogatories, or that such implications or characterizations are accurate and/or relevant to the Track One Cases.
7. Anda objects to the extent the Interrogatories incorrectly imply that Anda engaged in any of the conduct characterized or otherwise referenced in the Interrogatories. The responses to the Interrogatories are not intended to indicate that Anda adopts, concedes, or agrees with any such implications or characterizations, or that such implications or characterizations are accurate and/or relevant to the Track One Cases.
8. Anda objects to the Interrogatories insofar as they seek communications, or other information protected from discovery by the attorney-client privilege, work product doctrine, or other privilege or protection, or seek communications, or other information otherwise immune or protected from discovery and/or disclosure. Anda does not intend to waive any applicable privileges or protections by supplying information in response to the Interrogatories. On the contrary, Anda specifically intends to preserve any and all applicable privileges or protections.
9. Inadvertent disclosure of any information or production of any document in response to the Interrogatories shall not constitute a waiver of any privilege or any other ground for objecting to discovery with respect to such information or document (or any other information or document), or with respect to the subject matter thereof, nor shall such

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inadvertent production waive Anda's right to demand the return of such information or document pursuant to the terms of Case Management Order No. 2 Regarding Protective Order (Dkt. 441) and/or the Protective Order re: DEA's ARCOS/DADS Database (Dkt. 167), as amended, or object to the use thereof for any reason during this or any subsequent proceeding.
10. Anda objects to the Interrogatories to the extent they seek any other confidential, proprietary, or commercially sensitive information and/or trade secrets. Anda will only produce such confidential, proprietary, or commercially sensitive information and/or trade secrets subject to the terms of Case Management Order No. 2 Regarding Protective Order (Dkt. 441) and/or the Protective Order re: DEA's ARCOS/DADS Database (Dkt. 167), as amended.
11. Anda objects to the Interrogatories on the grounds that they exceed the allowable number of interrogatories under Paragraph 9(l)(i) of Case Management Order One (Dkt. 232), including without limitation due to the sub-parts within several Interrogatories.
12. Anda objects to the Interrogatories to the extent they are duplicative of requests propounded in Plaintiffs' (First) Combined Discovery Requests to Distributor Defendants ("First Combined Requests").
13. Anda objects to the "Definitions" and "Instructions" in the Interrogatories to the extent they purport to impose discovery obligations on Anda greater than those imposed or authorized by the Federal Rules of Civil Procedure, the applicable local rules, other applicable laws or rules, and/or any applicable court order(s).
14. Anda objects to the Interrogatories' definition of "You" and "Your" as vague, ambiguous, overly broad, and unduly burdensome, including without limitation to the extent it purports to include Anda's corporate parent, subsidiaries, or affiliates.
15. Anda objects to the Interrogatories" definition of "Documents" to the extent it exceeds the scope of Fed. R. Civ. P. 34(a)(1)(A) or (B).
16. Anda objects to the Interrogatories' definition of "Communication" as overly broad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and not proportional to the needs of the case, including without limitation because it purports to require the search and collection of information from sources such as "messages on 'social networking' sites" and "shared applications from cell phones."
17. Anda objects to the Interrogatories' definition of "Customer" as overly broad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and not proportional to the needs of the case, including without limitation because it purports to include entities outside the geographic limits of the Plaintiffs in the Track One Cases, and thus is inconsistent with Discovery Ruling No. 2 (Dkt. No. 693) and Discovery Ruling No. 3 (Dkt. No. 762). Anda will provide information in response to the Interrogatories as set forth in the individual Responses below and consistent with the Court's ruling on the geographic scope of discovery.
18. Anda objects to the Interrogatories' definitions of "Opioid", "Opioids", "Opioid Product," and "Opioid Products" as vague, ambiguous, and overly broad, including, without limitation, to the extent they purport to include substances "used to control pain, including, but not limited to, the drugs referenced in Plaintiffs' Complaints and Amended Complaints in the above-referenced matter;" and refer to pleadings in cases other than the Track One Cases. Anda will provide information in response to these Interrogatories as set forth in the individual Responses below and consistent with the Court's rulings setting forth the products at issue in this litigation, i.e., Discovery Ruling No. 2 (Dkt. 693) ("Defendants shall produce discovery related
to all opioid products that are or ever were classified as Schedule II under the Controlled Substances Act").
19. Anda objects to the Interrogatories' definition of "Suspicious Order" as vague and ambiguous to the extent it purports to be "defined by DEA." DEA has not defined the term "suspicious order." Anda further objects to the definition of "Suspicious Order" as overly broad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and not proportional to the needs of the case. Anda further objects to the definition of "Suspicious Order" due to its incorporation of the defined terms "Opioid" and "Opioid Products."
20. Anda objects to the Interrogatories' instruction that the Interrogatories cover the time period from "January 1, 1990 through the date of Your response" as overly broad, unduly burdensome, and not proportional to the needs of the case, including without limitation because it purports to require Anda to search for and provide information (to the extent it even exists and is accessible) that is outside the relevant statute(s) of limitations and is not relevant to Plaintiffs' claims. Moreover, the Court has since limited the responsive time period in its Discovery Ruling No. 2 (Dkt. No. 693) and Discovery Ruling No. 3 (Dkt. No. 762). Anda will provide information in response to these Interrogatories as set forth in the individual Responses below and consistent with the Court's ruling on the temporal scope of discovery.
21. Anda objects to the Interrogatories' instruction regarding the production of electronically stored information ("ESI"), video, and audio files. Anda will produce documents and ESI in accordance with the Court's Case Management Order Three Regarding Document and Electronically Stored Information Production Protocol (Dkt. 443).
22. Anda reserves the right to assert additional objections to the Interrogatories as appropriate and to amend or supplement the objections and responses herein in accordance with applicable rules and court order(s). Anda also reserves the right to object to the use of any of its responses at trial or other hearing or proceeding, as Anda deems necessary and/or appropriate. To the extent that Anda may provide information or documents in response to any Interrogatories herein, Anda does so without limiting or waiving any objections otherwise available to it.

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

## SUPPLEMENTAL RESPONSES TO CERTAIN INTERROGATORIES

## INTERROGATORY NO. 13:

For each Customer who purchased or otherwise acquired Opioids and/or Opioid Products from You from January 1, 1990 to the present, please Identify that entity's threshold and/or Controlled Substance limit at the time of the Order, and Identify all personnel who were responsible for establishing and/or approving any threshold or Controlled Substance limit as well as any overrides or modifications to any threshold or Controlled Substance limit for each such Customer.

## SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 13:

Anda objects to this Interrogatory by adopting and incorporating by reference its Preliminary Statement and General Objections. Anda further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, work product doctrine, and any other applicable privileges or protections. Anda further objects to this Interrogatory as overly broad, unduly burdensome, oppressive, and not proportional to the needs of the case, including, without limitation, insofar as it purports to require Anda to provide information unrelated to the Track One Cases, insofar as it purports to impose a temporal scope of nearly thirty years, and insofar as it purports to require Anda to provide information regarding products beyond those at issue in the Litigation. Moreover, Anda objects on the grounds that this

Interrogatory violates the relevance requirements of Fed. R. Civ. P. 26(b)(1). Anda further objects to this Interrogatory as compound. Anda's response to this Interrogatory is limited to the temporal and geographic scope as ordered by the Court in Discovery Ruling No. 2 (Dkt. No. 693) and Discovery Ruling No. 3 (Dkt. No. 762).

Subject to and without waiving the foregoing general and specific objections, Anda states that Anda's Regulatory/Compliance Department is now and has been for the relevant time period responsible for establishing and approving limits for the purpose of regulating a customer's ability to purchase controlled substances in quantities consistent with the dispense data provided by the customer, the customer's class of trade and Anda's role as a secondary supplier. In particular, individuals at Anda with responsibility for establishing and/or approving limits during the relevant time period include the following: Albert Paonessa, III, Michael Cochrane, Robert Brown, and Jay Spellman. In 2007, in consultation with the DEA, Anda established a base limit for controlled substances purchased by approved customers of 5,000 units / month/ drug family. Beginning in 2010, again at the suggestion of DEA, Anda generally limited the units of controlled substances that any customers is allowed to purchase in any given month to 1,000 units/drug family. Also in 2010, Anda set the base limit for oxycodone and methadone at zero for all customers and access to those products was based on an enhanced due diligence protocol. Customers who request customized limits for particular products were and are now subject to further due diligence and increased limits were established, if at all, based on a number of factors. Anda's Regulatory/Compliance Department monitors all customers once a limit is set to determine if that limit remains appropriate. This monitoring includes requiring customers to periodically supply updated dispensing and other data for evaluation.

Further answering, Anda states that it does not maintain a systematic record of historical limits set by customer by drug. Information relating to customers' historical per drug limits can be found in the individual customer files which were previously produced. Attached hereto at Tab A is a spreadsheet which identifies the per drug limits for the drugs at issue for each of Anda's customers in the CT1 jurisdictions who, as of the date of this response, have an "active" status with Anda and are currently approved by Anda to purchase controlled substances from Anda.

## INTERROGATORY NO. 14:

Please Identify the date and location of each DEA or Ohio Board of Pharmacy meeting, training, information or education session, or briefing provided to You by the Diversion Control Division, or any other DEA or Ohio Board of Pharmacy employee(s), related to the distribution and/or dispensing of Controlled Substances, and Identify all Persons who were present for each meeting, training, informational or educational session and/or briefing.

## SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 14:

Anda objects to this Interrogatory by adopting and incorporating by reference its Preliminary Statement and General Objections. Anda further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, work product doctrine, and any other applicable privileges or protections. Anda further objects to this Interrogatory as overly broad, unduly burdensome, oppressive, and not proportional to the needs of the case, including, without limitation, insofar as it purports to require Anda to provide information unrelated to the Track One Cases, and insofar as it purports to require Anda to provide information regarding products beyond those at issue in the Litigation. Moreover, Anda objects on the grounds that this Interrogatory violates the relevance requirements of Fed. R. Civ. P. 26(b)(1). Anda's response to this Interrogatory is limited to the temporal and geographic scope as ordered by the Court in Discovery Ruling No. 2 (Dkt. No. 693) and Discovery Ruling No. 3 (Dkt. No. 762).

Subject to and without waiving the foregoing general and specific objections, Anda states as follows:

DEA: As a DEA registrant Anda was for the relevant time period, and continues to be, in regular communication with representatives of the DEA located both in field offices and DEA headquarters in Washington, DC relating to the distribution of Controlled Substances, including but not limited to opioids. These communications are often through email and telephone correspondence but also include in person meetings such as periodic inspections, encounters at various industry events, and scheduled in person meetings. For purposes of responding to this Interrogatory, Anda understands that the Interrogatory is asking for the identity of in person meetings where representatives of Anda and the DEA met to specifically address Anda's distribution of controlled substances, including opioids. The following is a non-exhaustive list of such meetings:

- September 2005: meeting at DEA Headquarters in Washington, DC, between DEA and Anda representatives, Michael Cochrane and Herschel Sparks (Counsel), to discuss distribution of controlled substances to "internet pharmacies"
- August 2007: meeting at DEA Headquarters in Washington, DC, between DEA and Anda representatives, Al Paonessa and Michael Cochrane (also present were representatives of parent company Watson Pharmaceuticals, Inc., Tracey Hernandez and Diane Miranda), to discuss suspicious order monitoring
- September 2010: meeting at DEA Miami Field Office, Weston, FL between DEA and Anda representatives, Al Paonessa, Patrick Cochrane, and Jay Spellman to discuss suspicious order monitoring
- November 2011: meeting at Anda, Weston, FL between DEA and Anda representatives, Michael Cochrane, Emily Hall and Sabrina Solis to discuss suspicious order monitoring
- September 2014: meeting between DEA and Anda representatives, Al Paonessa, Michael Cochrane, Robert Brown to discuss suspicious order monitoring
- April 2017: meeting between DEA and Anda representative Jay Spellman, to address Anda's distribution practices.


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Further answering, Anda expressly incorporates by reference Defendant Anda, Inc. 's

## Supplemental Response to Plaintiffs' (First) Combined Discovery Requests to Distributor

Defendants, Discovery Request No. 8, served on November 30, 2018, and Appendix B thereto which contains information responsive to Interrogatory No. 14.

Ohio Board of Pharmacy: Anda is licensed by the Ohio Board of Pharmacy to distribute controlled substances in Ohio and has had the occasion, though with less frequency, to communicate with representatives of the Ohio Board of Pharmacy as well. These communications are often through email and telephone correspondence but also include in person meetings such as periodic inspections, encounters at various industry events, and scheduled in person meetings. For purposes of responding to this Interrogatory, Anda understands that the Interrogatory is asking for the identity of in person meetings where representatives of Anda and the Ohio Board of Pharmacy met to specifically address Anda's distribution of controlled substances, including opioids. With the exception of an introductory meeting onsite at Anda's Groveport Ohio distribution center in June of 2002, prior to the relevant time period at issue, Anda did not have in person meetings with representatives of the Ohio Board of Pharmacy relating to the distribution of Controlled Substances.

## INTERROGATORY NO. 18:

Describe in detail the corporate history of Your entities, parent companies, subsidiaries and/or divisions that have, or have had, any role in the manufacture, marketing, sale, dispensing and/or distribution of Opioids or Opioid Products from January 1, 1990 to present, including the name of the entity, the relationship to Anda, dates of acquisition or changes in relationships, and Identify the Persons or entities who hold or have assumed any known or unknown liabilities of each such entity, subsidiary, or division in relation to Opioids or Opioid Products.

## SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 18:

Anda objects to this Interrogatory by adopting and incorporating by reference its Preliminary Statement and General Objections. Anda further objects to this Interrogatory to the

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extent it seeks information protected by the attorney-client privilege, work product doctrine, and any other applicable privileges or protections. Anda further objects to this Interrogatory as overly broad, unduly burdensome, oppressive, and not proportional to the needs of the case, including, without limitation, insofar as it purports to require Anda to provide information unrelated to the Track One Cases, insofar as it purports to impose a temporal scope of nearly thirty years, and insofar as it purports to require Anda to provide information regarding its parent companies. Moreover, Anda objects on the grounds that this Interrogatory violates the relevance requirements of Fed. R. Civ. P. 26(b)(1). Anda's response to this Interrogatory is limited to the temporal and geographic scope as ordered by the Court in Discovery Ruling No. 2 (Dkt. No. 693) and Discovery Ruling No. 3 (Dkt. No. 762).

Subject to and without waiving the foregoing general and specific objections, Anda expressly incorporates by reference Defendant Anda, Inc.'s First Supplemental Objections and Responses to Plaintiffs' First and Second Notices of Deposition Pursuant to Rule 30(b)(6), Topic 2 served on January 11, 2019, which contains information responsive to Interrogatory No. 18.

## INTERROGATORY NO. 25:

Describe any and all educational, information and/or other programs You have provided to any Customer and/or pharmacy/dispenser that You own and/or control or other Person, that address diversion, safety, efficacy, misuse and/or prescription of Opioids or Opioid Products, from 1990 to the present.

## SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 25:

Anda objects to this Interrogatory by adopting and incorporating by reference its Preliminary Statement and General Objections. Anda further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, work product doctrine, and any other applicable privileges or protections. Anda further objects to this Interrogatory as overly broad, unduly burdensome, oppressive, and not proportional to the needs of the case,
including, without limitation, insofar as it purports to require Anda to provide information unrelated to the Track One Cases, and insofar as it purports to impose a temporal scope of nearly thirty years. Moreover, Anda objects on the grounds that this Interrogatory violates the relevance requirements of Fed. R. Civ. P. 26(b)(1). Anda's response to this Interrogatory is limited to the temporal and geographic scope as ordered by the Court in Discovery Ruling No. 2 (Dkt. No. 693) and Discovery Ruling No. 3 (Dkt. No. 762).

Subject to and without waiving the foregoing general and specific objections, Anda states that it sponsored, through an educational grant, a continuing education program offered by Drug Store News titled Pharmacists Responsibility in Appropriate Controlled Substance Dispensing. The program, which was launched in December of 2012, was intended "to provide pharmacists with tools and tips on fulfilling their role in appropriate controlled substance dispensing." See Anda_Opioids_MDL_0000327324; Anda_Opioids_MDL_0000327327. According to Drug Store News, thousands of pharmacists completed the course. See

Anda_Opioids_MDL_0000089033. Specifically, in the first 18 months of the program, 6,761 pharmacists completed the course, including pharmacists at both independent and chain pharmacies. Id.

## INTERROGATORY NO. 29:

Describe the compensation system for all individuals whose compensation related to the sale or distribution of Opioids or Opioid Products. Please describe whether the compensation is a fixed salary and/or hourly or if it varies based upon volume and/or type of drugs sold and/or profitability.

## SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 29:

Anda objects to this Interrogatory by adopting and incorporating by reference its Preliminary Statement and General Objections. Anda further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, work product doctrine, and

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any other applicable privileges or protections. Anda further objects to this Interrogatory as overly broad, unduly burdensome, oppressive, and not proportional to the needs of the case, including, without limitation, insofar as it purports to require Anda to provide information unrelated to the Track One Cases, insofar as it is unlimited in temporal or geographic scope, and because, as written, the Interrogatory could be read to include every individual ever employed by Anda. Moreover, Anda objects on the grounds that this Interrogatory violates the relevance requirements of Fed. R. Civ. P. 26(b)(1). Anda further objects to this Interrogatory is vague and ambiguous insofar as it could be read to include any employee of Anda. For purposes of responding to the Interrogatory, Anda understands that the Interrogatory asks for any Anda employee whose compensation may have been directly impacted by the individual sale of a product at issue, i.e. telesales representatives. Anda's response to this Interrogatory is limited to the temporal and geographic scope as ordered by the Court in Discovery Ruling No. 2 (Dkt. No. 693) and Discovery Ruling No. 3 (Dkt. No. 762).

Subject to and without waiving the foregoing general and specific objections, Anda states that the telesales representative compensation system was described in detail during the following depositions, which testimony Anda expressly incorporates herein by reference: Anda Rule 30(b)(6) (Patrick Cochrane), dated 1/24/19 at 250:3-250:12; (Ex. 31); Patricia Williams, dated $12 / 13 / 18$ at $67: 16-74: 20 ; 81: 19-84: 7$.

Additional Information regarding sales compensation plans can be found in the documents Anda produced on November 16, 2018, which can be identified by the "Anda HR" notation in the custodian field and include the following:

| Anda_Opioids_MDL_0001096414 | Anda_Opioids_MDL_0001096415, |
| :--- | :--- |
| Anda_Opioids_MDL_0001096417 | Anda_Opioids_MDL_0001096422 |

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| Anda_Opioids_MDL_0001096423 | Anda_Opioids_MDL_0001096424 |
| :--- | :--- |
| Anda_Opioids_MDL_0001096436, | Anda_Opioids_MDL_0001096437 |
| Anda_Opioids_MDL_0001096477 | Anda_Opioids_MDL_0001096486 |
| Anda_Opioids_MDL_0001096490 | Anda_Opioids_MDL_0001096491 |
| Anda_Opioids_MDL_0001096501 | Anda_Opioids_MDL_0001096508 |
| Anda_Opioids_MDL_0001096516 | Anda_Opioids_MDL_0001096517 |
| Anda_Opioids_MDL_0001096528 | Anda_Opioids_MDL_0001096529 |
| Anda_Opioids_MDL_0001096539 | Anda_Temporary_Compensation_001-072 |

## INTERROGATORY NO. 31:

Describe any and all policies, procedures and/or programs that You have initiated, created and/or participated in that address diversion, safety, and/or efficacy of Opioids and/or Opioid Products.

## RESPONSE TO INTERROGATORY NO. 31:

Anda objects to this Interrogatory by adopting and incorporating by reference its Preliminary Statement and General Objections. Anda further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, work product doctrine, and any other applicable privileges or protections. Anda further objects to this Interrogatory as overly broad, unduly burdensome, oppressive, and not proportional to the needs of the case, including, without limitation, insofar as it purports to require Anda to provide information unrelated to the Track One Cases. Moreover, Anda objects on the grounds that this Interrogatory violates the relevance requirements of Fed. R. Civ. P. 26(b)(1). Anda's response to this Interrogatory is limited to the temporal and geographic scope as ordered by the Court in Discovery Ruling No. 2 (Dkt. No. 693) and Discovery Ruling No. 3 (Dkt. No. 762).

Subject to and without waiving the foregoing general and specific objections, Anda
expressly incorporates by reference Defendant Anda, Inc. 's Supplemental Response to Plaintiffs' (First) Combined Discovery Requests to Distributor Defendants, Discovery Request No. 2, served on November 30, 2018 and Defendant Anda, Inc. 's Second Supplemental Response to Plaintiffs' (First) Combined Discovery Requests to Distributor Defendants, Discovery Request No. 2, served on January 17, 2019, which contains information responsive to Interrogatory 31.

## INTERROGATORY NO. 32:

Describe Your policies, procedures and systems in place which are designed to capture reporting about state and federal compliance issues relating to Opioids or Opioid Products. To the extent these changed over time, provide dates of substantive changes or implementation dates for new programs, policies or initiatives.

## SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 32:

Anda objects to this Interrogatory by adopting and incorporating by reference its Preliminary Statement and General Objections. Anda further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, work product doctrine, and any other applicable privileges or protections. Anda further objects to this Interrogatory as overly broad, unduly burdensome, oppressive, and not proportional to the needs of the case, including, without limitation, insofar as it purports to require Anda to provide information unrelated to the Track One Cases. Moreover, Anda objects on the grounds that this Interrogatory violates the relevance requirements of Fed. R. Civ. P. 26(b)(1). Anda's response to this Interrogatory is limited to the temporal and geographic scope as ordered by the Court in Discovery Ruling No. 2 (Dkt. No. 693) and Discovery Ruling No. 3 (Dkt. No. 762).

Subject to and without waiving the foregoing general and specific objections, Anda expressly incorporates by reference Defendant Anda, Inc. 's Supplemental Response to Plaintiffs' (First) Combined Discovery Requests to Distributor Defendants, Discovery Request No. 2, served on November 30, 2018 and Defendant Anda, Inc. 's Second Supplemental Response to

Plaintiffs' (First) Combined Discovery Requests to Distributor Defendants, Discovery Request No. 2, served on January 17, 2019, which contains information responsive to Interrogatory 32.

As to objections:<br>/s/ James W. Matthews<br>James W. Matthews (MA BBO \#560560)<br>Katy E. Koski (MA BBO \#650613)<br>FOLEY \& LARDNER LLP<br>111 Huntington Avenue<br>Boston, MA 02199<br>Telephone: 617.342.4000<br>Facsimile: 617.342.4001<br>jmatthews@foley.com<br>kkoski@foley.com

Counsel for Defendant Anda, Inc.

## VERIFICATION

I, Patrick Cochrane, declare:
I am the Vice President, Operations and Logistics, for Anda, Inc. I am authorized to make this verification on behalf of Anda, Inc. The foregoing Anda, Inc.'s Third Supplemental Response to Plaintiff's First Set of Interrogatories represents a corporate response, based on information, in part, assembled by other company employees and/or representatives and with the assistance of counsel. Because the matters stated in the document identified above constitute a corporate response, they are not all necessarily within my or any single individual's personal knowledge. Subject to these limitations, the information contained in the foregoing response is, to the best of Anda, Inc.'s knowledge, true and correct. Anda, Inc. reserves the right to make any changes should it appear that any omissions or errors have been made.

I declare under penalty of perjury that the foregoing is true and correct.
Executed at Weston, Florida on this 5th day of March 2019.


## CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of March 2019, the foregoing has been served via electronic mail on the following counsel, with a copy to mdl2804discovery@motleyrice.com:

Paul J. Pennock
Weitz \& Luxenberg, P.C.
700 Broadway
New York, NY 10003
ppennock@weitzlux.com
Peter H. Weinberger, Esq.
SPANGENBERG SHIBLEY \& LIBER LLP
1001 Lakeside Avenue East, Suite 1700
Cleveland, OH 44114
pweinberger@spanglaw.com
Steven J. Skikos, Esq.
SKIKOS CRAWFORD SKIKOS \& JOSEPH LLP
One Sansome Street, Suite 2830
San Francisco, CA 94104
sskikos@.skikoscrawford.com
Troy A. Rafferty, Esq.
LEVIN PAPANTONIO THOMAS MITCHELL RAFFERTY \& PROCTOR PA
316 S. Baylen Street, Suite 600
Pensacola, FL 32502
trafferty@levinlaw.com
/s/ James W. Matthews
Counsel for Defendant Anda, Inc.






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[^0]:    ${ }^{1}$ On September 11, 2018, Anda supplemented its responses to Interrogatory Nos. 2 and 26 and on September 14, 2018, Anda supplemented its responses to Interrogatory Nos. 5, 15, 17 and 19. In addition, Anda served supplemental responses to Plaintiffs Combined Discovery Requests to Distributor Defendants on November 30, 2018 and January 17, 2019.

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