Teva Pharmaceuticals USA, Inc., Teva Pharmaceutical Industries Ltd., Cephalon, Inc., and Actavis Generic Defendants'

Cross Examination of Craig McCann, M.D.

May 18, 2022



Brand Medicines

teva usa

Brand & Generic Medicines

teva LTD

No Medicines in US



Generic Medicines

Actavis LLC

Actavis Elizabeth LLC

Actavis Kadian LLC

Actavis Pharma, Inc.

Actavis Laboratories UT, Inc.

Actavis Mid Atlantic LLC

Watson Laboratories, Inc.

Actavis Totowa LLC

Warner Chilcott Company LLC

Actavis South Atlantic LLC

Actavis Laboratories FL, Inc.

McCann Deposition Testimony



Jan. 6, 2022

- 12 Q. Okay. Now, you didn't, you know, design
- 13 these flagging methodologies or choose the
- 14 methodologies to be used in your report, correct?
- 15 A. Correct.
- 16 Q. Those -- you designed and ran algorithms
- 17 on the data to get the results of a particular
- 18 methodology, but the methodology was given to you
- 19 by someone else, correct?
- A. Correct.
- Q. Who gave you those methodologies?
- A. Counsel for plaintiffs.

May 9, 2019

- Q. And is that also true not
 only about whether those algorithms, the
 assumptions, are appropriate, but also
- ⁹ true that you are not making any opinion
- 10 as to whether they are legally required?
- A. Right. I think all of these
- issues are being handled by other
- experts. I -- as you said a minute ago.
- And I didn't take it as a pejorative.
- I'm just serving as a calculator.

May 9, 2019 McCann MDL Dep. at 127:18 – 128:5, 129:6–15 Q. Did you take any other step
to verify with the DEA that any or all of
these approaches are appropriate in this
setting?

A. I'm sorry. I don't know
what you mean by any other, but I didn't
do anything other than serve as the
computer, you referred to me as earlier.
I took these approaches and implemented
them, applied them to the data. That's
what I did.

May 9, 2019 McCann MDL Dep. at 135:14–24

Jan. 6, 2022 McCann CCSF Dep. at 24:12-22

Updated Supplemental Table 26 Manufacturer ARCOS Data, 2006-2014

Updated Supplemental Table 26 Manufacturer Defendants to Dispensers in San Francisco, ARCOS Data, 2006-2014

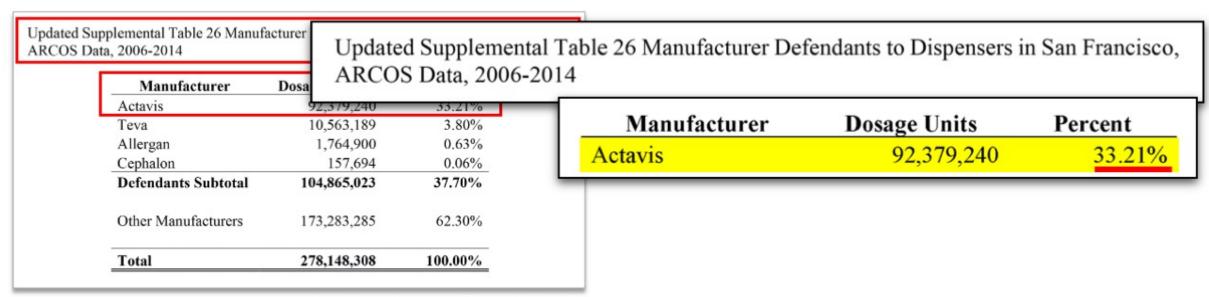
Manufacturer	Dosa	ARCOS Bata, 2000-201-			
Actavis	92,379,240	35.21%			
Teva	10,563,189	3.80%			
Allergan	1,764,900	0.63%			
Cephalon	157,694	0.06%			
Defendants Subtotal	104,865,023	37.70%			
Other Manufacturers	173,283,285	62.30%			
Total	278,148,308	100.00%			

McCann Decl. Pg. 31, Updated Supplemental Table 26

Updated Supplemental Table 61 Manufacturer I in San Francisco, ARCOS Data, 2006-2014

Updated Supplemental Table 61 Manufacturer Defendants to Chain and Retail Pharmacies in San Francisco, ARCOS Data, 2006-2014

Manufacturer	Dosa; III San	in San Francisco,			
Actavis	80,410,273	40.2376			
Teva	10,007,672	5.23%			
Allergan	1,564,020	0.82%			
Cephalon	149,314	0.08%			
Defendants Subtotal	100,137,281	52.38%			
Others	91,043,444	47.62%			
Total	191,180,725	100.00%			



McCann Decl. Pg. 31, Updated Supplemental Table 26

Updated Supplemental Table 61 Manufacturer in San Francisco, ARCOS Data, 2006-2014

Updated Supplemental Table 61 Manufacturer Defendants to Chain and Retail Pharmacies in San Francisco, ARCOS Data, 2006-2014

Manufacturer	Dosa; in San	Francisco	RCOS Data, 2006-2014	
Actavis	80,410,273	40.23%		
Teva	10,007,672	5.23%	Manufacturer	Dosage Units
Allergan	1,564,020	0.82%		
Cephalon	149,314	0.08%	Actavis	88,416,27
Defendants Subtotal	100,137,281	52.38%	_	
Others	91,043,444	47.62%		
Total	191,180,725	100.00%		

Percent

46.25%

"Actavis Generic Defendants"

Actavis LLC

Watson Laboratories, Inc.

Actavis Pharma, Inc.

Actavis Laboratories UT, Inc.

Actavis Laboratories FL, Inc.



Generic Medicines

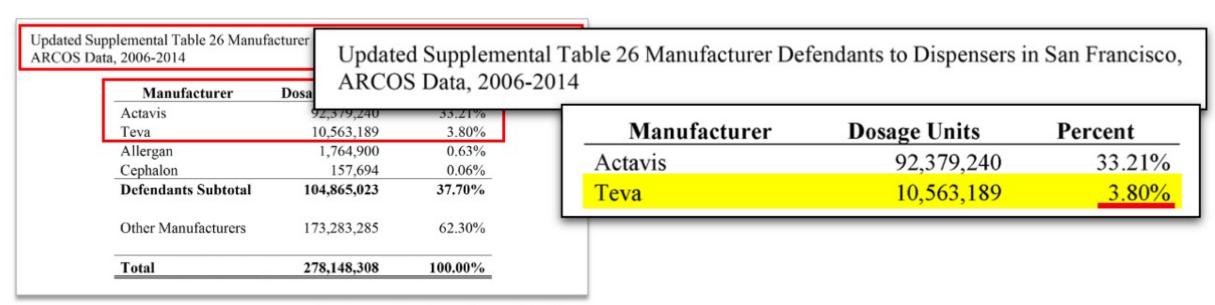
Warner Chilcott Company LLC **Actavis Kadian LLC**

Actavis Mid Atlantic LLC

Actavis Elizabeth LLC

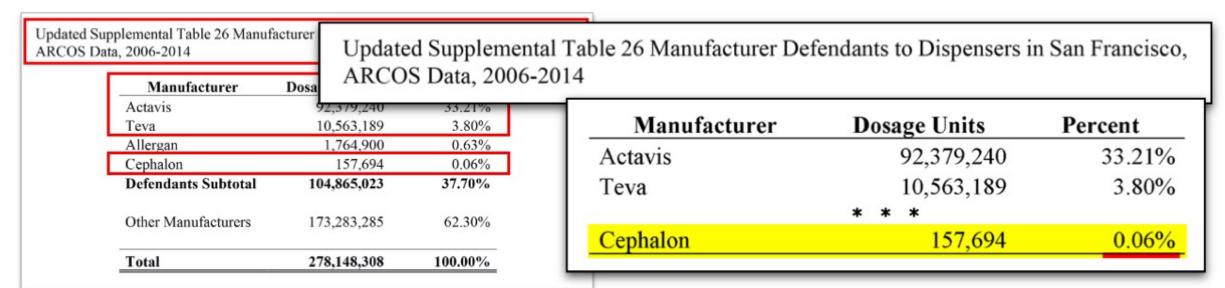
Actavis Totowa LLC

Actavis South Atlantic LLC



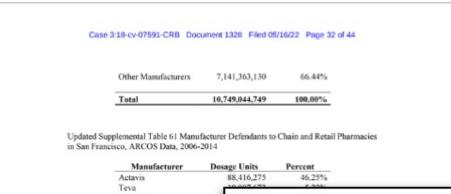
McCann Decl. Pg. 31, Updated Supplemental Table 26

Updated Supplemental Table 61 Manufacturer Updated Supplemental Table 61 Manufacturer Defendants to Chain and Retail Pharmacies in San Francisco, ARCOS Data, 2006-2014 in San Francisco, ARCOS Data, 2006-2014 Manufacturer Dosas Actavis 10,007,672 5.23% Teva Manufacturer **Dosage Units** Percent Allergan 1,564,020 0.82% Actavis 88,416,275 46.25% Cephalon 149,314 0.08% **Defendants Subtotal** 100,137,281 52.38% Teva 10,007,672 5.23% Others 47.62% 91,043,444 191,180,725 Total 100.00%



McCann Decl. Pg. 31, Updated Supplemental Table 26

Updated Supplemental Table 61 Manufacturer Updated Supplemental Table 61 Manufacturer Defendants to Chain and Retail Pharmacies in San Francisco, ARCOS Data, 2006-2014 in San Francisco, ARCOS Data, 2006-2014 Manufacturer Dosas Actavis 10,007,672 5.23% Teva Manufacturer **Dosage Units** Percent Allergan 1,564,020 0.82% Actavis 88,416,275 46.25% Cephalon 149,314 0.08% Defendants Subtotal 100,137,281 52.38% 10,007,672 5.23% Teva Others 47.62% 91,043,444 Cephalon 149,314 0.08%191,180,725 Total 100.00%



Allergan Cephalon Defendants Subtotal

Others

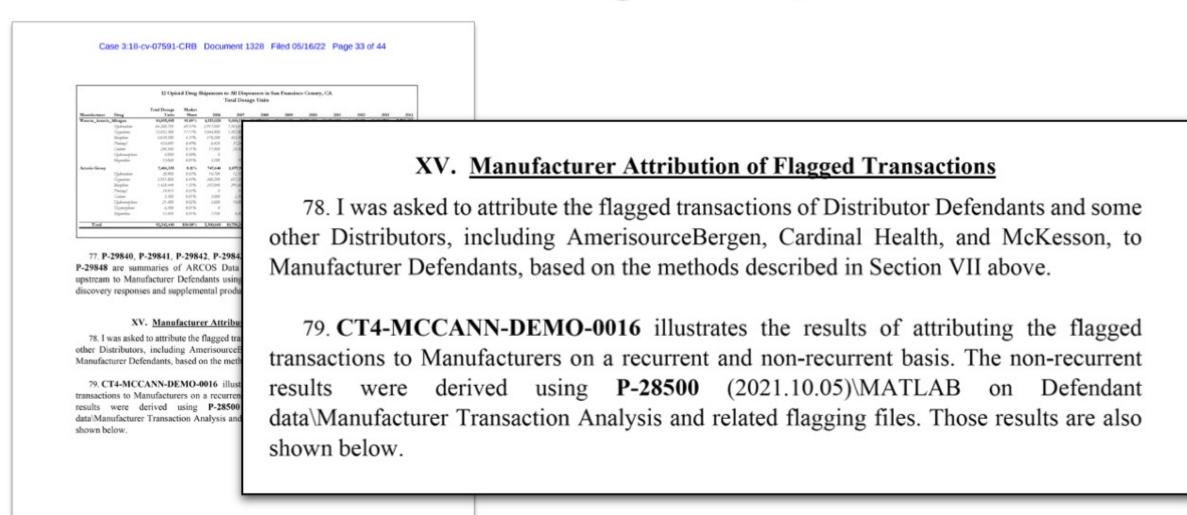
 Before 2013, the entity commonly entity. In late 2012 It was purchased by W combined company purchased Allergan, Inc.

Teva. Those corporate transactions are not declaration reflect the corporate owners as of I have updated the chart below, which is also corporate owners contemporaneous with the

76. Before 2013, the entity commonly known as Actavis Group was a standalone entity. In late 2012 It was purchased by Watson Pharmaceuticals, Inc. After 2014 the combined company purchased Allergan, Inc. and then sold its generic opioid holdings to Teva. Those corporate transactions are not relevant to this data. Other charts in this declaration reflect the corporate owners as of the time this data was generated by the DEA. I have updated the chart below, which is also CT4-MCCANN-DEMO-0015, to reflect the corporate owners contemporaneous with the data presented.

32

McCann Decl. Pg. 32 ¶ 76



McCann Decl. Pg. 33 ¶ 78-79

Recurrent

All Defendants

Actavis

Total Dosage Units

Total Dosage Units

Cephalon (Branded)

Total Dosage Units

Cephalon (Generic)

Total Dosage Units

Teva (Branded)

Total Dosage Units

Teva (Generic)

Total Dosage Units

Methodology 1: Maximum Monthly Trailing 6 Month Pharmacy Specific Threshold – Recurrent

Flagged Orders - Dosage Units

Flagged Orders - Dosage Units

Percentage of Total Dosage Units

Flagged Orders - Dosage Units

Percentage of Total Dosage Units

Flagged Orders - Dosage Units

Percentage of Total Dosage Units

Flagged Orders - Dosage Units

Flagged Orders - Dosage Units

Percentage of Total Dosage Units

Percentage of Total Dosage Units

* * *

Percentage of Total Dosage Units

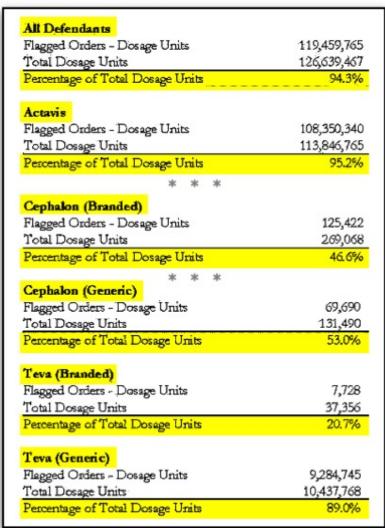
l		Manufacturer /	terrore or	-	ransactions	in Dosage	Cinco	
	_	Maximum Monthly 1 Trailing 6 Month 1 Pharmacy Specific 1	dethodology 2: failing Six-month duximum Moethly, fixed After First higgered Threshold -		Methodology 4: 3x Tmiling 12 Month Average - Recurrent	Dorage Units Monthly -	Methodology & Maximum Daily Dosage Units - Recurrent	Methodology 7: Maximum Monthly Trailing 6 Month Pharmacy Specific Threshold on Rolling 30 Days - Recurrent
9,459,765	Units	119,459,765	36,442,620	63,730,697	43,195,240	94,425,820	119,774,33	0 121,549,220
6,639,467		126,639,467	126,639,467	126,639,467	7 126,639,46	126,639,467	125,731,39	0 126,639,467
94.3%	age Units	94.3%	28.8%	50.3%	5 34.19	74.6%	95.39	% 96.0%
	Units	108,350,340 113,846,765	33,904,980 113,846,763					
	age Units	95.2%	29.8%					
8,350,340			_					
3,846,765	s Units	1,621,840 1,917,020	347,120 1,917,020					
95.2%	age Units	84.6%	18.1%	GE.3%	52.19	51.1%	94.99	% 89.8%
	Units	125,422	35,690	236,952	2 215,68	5 0		0 141,164
		0.00.040	269,056	0.00.00	8 240,04	249,048		
125 422	age Units	2 <i>6</i> 0,068 46.0%	13.3N					
125,422 269,068	age Units	46.6%	15.9%	88.8%	80.2%	0.014	n/	
-	age Units	Manufacturer Methodology: I Maximum Monthly Trailing 6 Month Pha macy Specific Threshold	15.9%	88.8%	ransactions Methodology 4: 3x Toding 12 Month Areage	in Dosage 1 Methodology 5: Maximum 8,000 Dosage Units Monthly -	n/	
269,068 46.6% 69,690	age Units	Manufacturer Methodology: I Maximum Monthly Trailing 6 Month Phaemacy Specific Threshold Recurrent	Attribution of Methodology 2: Trading Six month Maximum Morthly, Föred After First Täggered Threshold - Nonrecurrent	Flagged T Recurrent Methodology 3: 2x Tmiling 12 Moeth Average Phaemacy Dosage Units - Recurrent 0 43,750,69	ransactions Methodology 4: 3x Tading 12 Month Areage - Recurrent 42,195,24	in Dosage I Methodology 5: Maximum 8,000 Dosage Units Monthly - Recurrent	Methodology 6 Maximum Dully Dosage Units - Recurrent	Methodology 7: Maximum Monthly Trailing 6 Month Pharmary Specific Trushold on Rolling 30 Days - Recurrent
269,068 46.6% 69,690 131,490		Manufacturer Methodology: I Maximum Monthly Trailing 6 Month Pha macy Specific Threshold Recurrent	Attribution of Methodology 2: Trading Six-month Maximum Moethly, Fleed After Fest Triggered Threshold - Nonrecurrent 36,042,62 126,639,66	Flagged T Recurrent Methodology 3: 2x Trailing 12 Mosth Aresige Phaemacy Dosage Units - Stemment 0: 43,750,69 7: 125,659,45	Fansactions Methodology 4: 2x Tooling 12 Month Average Recurrent 7 43,195,24 7 126,639,65	in Dosage 1 Methodology 5 Maximum 8,000 Dosage Units Monthly - Recurrent 94,425,820 122,639,467	Methodology 6: Maximum Duly Dosage Units - Recurrent 119,774,38: 125,731,502	Methodology 7: Maximum Monthly Trailing 6 Month: Pharmary Specific Threshold on Rolling 30 Days - Recurrent 0 121,545,249 0 124,615,445
269,068 46.6% 69,690 131,490 53.0%	ge Units	Manufacturer Methodology: I Maximum Monthly Trailing 6 Month Phamsey Specific Threshold - Recurrent 119,459,765 226,639,457 94,376	Attribution of Methodology 2: Tesling Six month Maximum Monthly, Fixed After First Triggered Threshold - Nonrecurrent 36,442,62 126,69,46 28.89	Flagged T Recurrent Methodology 3: 2x Tailing 12 Month Average Phaemacy Dosage Units - Recurrent 0 43,730,69 7 124,639,46 6 50.39	Methodology 4: 2x Tooling 12 Month Avenge - Recurrent 7 43,195,24 7 126,639,65 8 34.39	in Dosage I Methodology 5: Maximum 8,000 Dosage Units Monthly - Recurrent 94,425,820 122,639,467 74,6%	Methodology & Maximum Daily Dosage Units - Recurrent 119,774,38, 125,731,50	Methodology 7: Maximum Monthly Trailing 6 Month: Phamary Specific Trueshold on Rolling 30 Days - Recurrent 0 121,549,220 0 126,518,457 6 56,0%
269,068 46.6% 69,690 131,490 53.0%	ge Units mage Units	Manufacturer Methodology: Maximum Monthly Trailing 6 Month Phamacy Specific Threshold - Recurrent 119,459,765 124,639,467 94.3%	Attribution of Methodology 2: Trading Six month Montimum Monthly, Fixed After First Taggered Threshold - Nonrecurrent 36,445,62 126,639,46 28.89	Flagged T Recurrent Methodology 3 2x Tmiling 12 Mooth Average Phaemacy Dosage Units - Recusent 0 43,730,69 3 124,639,45 5 50,39 0 125,68 0 131,49	Methodology 4: 2n Tealing 12 Month Avenge - Recurrent 7 43,195,24 7 126,639,65 8 34.19	in Dosage I Methodology 5: Maximum 8,000 Dosage Units Monthly - Recurrent 94,425,820 7126,639,467 774,696	Methodology 6 Maximum Duky Douge Units - Recurrent 119,774,33 125,791,396	Methodology 7: Maximum Monthly Trailing 6 Month: Pharmary Specific Trushold on Rolling 30 Days - Recurrent 0 121,549,220 0 126,618,467 6 56,0%
269,068 46.6% 69,690 131,490 53.0% 7,728 37,356	ge Units	Manufacturer Methodology: I Maximum Monthly Trailing 6 Month Phamsey Specific Threshold - Recurrent 119,459,765 226,639,457 94,376	Attribution of Methodology 2: Trading Six month Monimum Moethly, Fixed After First Taggered Threshold - Nonresurent 36,445,62 126,639,46 28.89	Flagged T Recurrent Methodology 3 2x Tmiling 12 Mooth Average Phaemacy Dosage Units - Recusent 0 43,730,69 3 124,639,45 5 50,39 0 125,68 0 131,49	Methodology 4: 2n Tealing 12 Month Avenge - Recurrent 7 43,195,24 7 126,639,65 8 34.19	in Dosage I Methodology 5: Maximum 8,000 Dosage Units Monthly - Recurrent 94,425,820 7126,639,467 774,696	Methodology 6 Maximum Duky Douge Units - Recurrent 119,774,33 125,791,396	Methodology 7: Maximum Monthly Trailing 6 Month: Pharmary Specific Trushold on Rolling 30 Days - Recurrent 0 121,546,220 0 126,625,467 6 96,096
269,068 46.6% 69,690 131,490 53.0%	ge Units mage Units	Manufacturer Methodology: I Maximum Monthly Trailing of Month Pharmacy Specific Threshold Recurrent 119,459,765 124,639,467 94.3% 69,690 131,490 53.0%	Attribution of Methodology 2: Trading Sec month Maximum Meethy, Faced After Fact Taggered Threshold - Noncourser 26,440,25 126,69,46 28.89	Flagged T Recurrent Methodology 3: 2x Tailing 12 Month Average Units - Stemanous Un	### Reserved	in Dosage 1 Methodology 5: Maximum 8,000 Dosage Units Monthly - Recurrent 94,425,820 7 126,639,467 74.6% 0 0 151,490	Methodology 6: Maximum Daily Dosage Units - Recurrent 119,774,338 125,731,390	Methodology 7: Maximum Marshiy Trailing 6 Month: Pharmacy Specific Threshold on Rolling 30 Days - Recurrent 0 121,549,209 0 126,618,467 6 56.0% 0 71,130 0 131,400 a 54.1%
269,068 46.6% 69,690 131,490 53.0% 7,728 37,356	ge Units mage Units ge Units mage Units	Manufacturer Methodology: Maximum Monthly Trailing 6 Month Phamacy Specific Threshold - Recurrent 119,459,765 124,639,467 94.3%	Attribution of Methodology 2: Tesling Six month Maximum Mocethly, Fixed After First Taggered Threshold Nonrecurrent 36,442,62 126,639,46 28,85 131,40 19.25	Flagged T Recurrent Methodology 3: 2x Tailing 12 Mosch Avesage Phaemacy Dosage Units - Recurrent 0 43,730,69 7 125,639,45 8 50,39 0 125,68 0 131,49 6 95,79 0 36,00 6 37,35	Methodology 4: 2x Tealing 12 Month Avenge - Recurrent 7 43,195,24 7 126,639,65 8 34,39 0 109,52 0 134,66 8 34,27 6 37,35	in Dosage 1 Methodology 5: Maximum 8,000 Dossge Units Monthly- Recurrent 94,425,830 126,639,467 126,639,467 0 131,490 0 00%	Methodology 6: Maximon Duly Dosage Units - Recurrent 119,774,338 125,731,590	Methodology 7: Maximum Monthly Trailing 6 Month: Pharmary Specific Trurshold on Rolling 30 Days - Recurrent 0 121,549,220 0 124,618,467 6 960% 0 71,130 0 131,400 a 54,1%
269,068 46.6% 69,690 131,490 53.0% 7,728 37,356 20.7%	ge Units snage Units ge Units snage Units	Manufacturer Methodology: I Maximum Monthly Trailing of Month Phaemacy Specific Threshold - Recurrent 119,459,765 126,639,467 94,3% 69,690 131,492 53,0% 7,788 37,356 20,7%	Attribution of Methodology 2: Trading Six month Maximum Mocethly, Fixed After First Triggered Threshold - Nonrecurrent 36,442,62 126,699,46 28,89 131,40 19.25	Flagged T Recurrent Methodology 3: 2x Tailing 12 Mosch Average Pharmacy Dosage Units - Recurrent 0 43,730,69 9 125,639,45 6 50,39 0 125,68 0 131,49 6 96,79	Methodology 4: 2x Tasling 12 Month Avenge - Recurrent 7	in Dosage 1 Methodology 5: Maximum 8,000 Dossge Units Monthly - Recurrent 94,425,830 126,639,467 126,639,467 100 131,490 0.0%	Methodology 6 Maximum Duky Douge Units Recurrent 119,774,333 125,731,96 95.39	Methodology 7: Maximum Monthly Trailing 6 Month Pharmary Specific Trurshold on Rolling 30 Days - Recurrent 0 121,56,220 0 124,638,467 6 56,076 0 71,130 0 151,400 a 54,76 0 10,136 0 37,966 a 27,7%
269,068 46.6% 69,690 131,490 53.0% 7,728 37,356	ge Units sage Units ge Units sage Units	Manufacturer Methodology: I Maximum Monthly Trailing of Month Phaenacy Specific Threshold - Recurrent 119,459,765 126,039,467 94,336 69,690 131,492 53,0%	Attribution of Methodology 2: Trading Six month Montimum Monthly, Fixed After First Taggered Threshold - Nonrecurrent 36,445,62 126,639,46 28.89 131,46 19.25 57,33 1,99	Flagged T Recurrent Methodology 3 2x Tmiling 12 Mooth Average Phaemacy Dosage Units - Recurrent 0 43,730,68 3 124,639,45 6 50,39 0 125,68 0 131,49 6 96,79 0 36,00 0 7,642,68	Fansactions Methodology 4: 2n Tealing 12 Moorth Average Recurrent 7	in Dosage 1 Methodology 5: Maximum 8,000 Dosage Units Monthly - Recurrent 0 94,425,820 7 126,639,467 74.6% 0 0 131,400 0 0.0% 0 37,356 0 0.0%	Methodology 6 Maximum Duky Douge Units - Recurrent 119,774,33 125,791,393 95,39	Methodology 7: Maximum Morabily Trailing 6 Month: Pharmary Specific Trushold on Rolling 30 Days - Recurrent 0 121,549,220 0 126,539,457 6 96,094 0 71,130 0 131,400 0 14,136 0 17,356 0 27,956

McCann Decl. Pg. 34 TCA Defendants Court Exhibit 00002

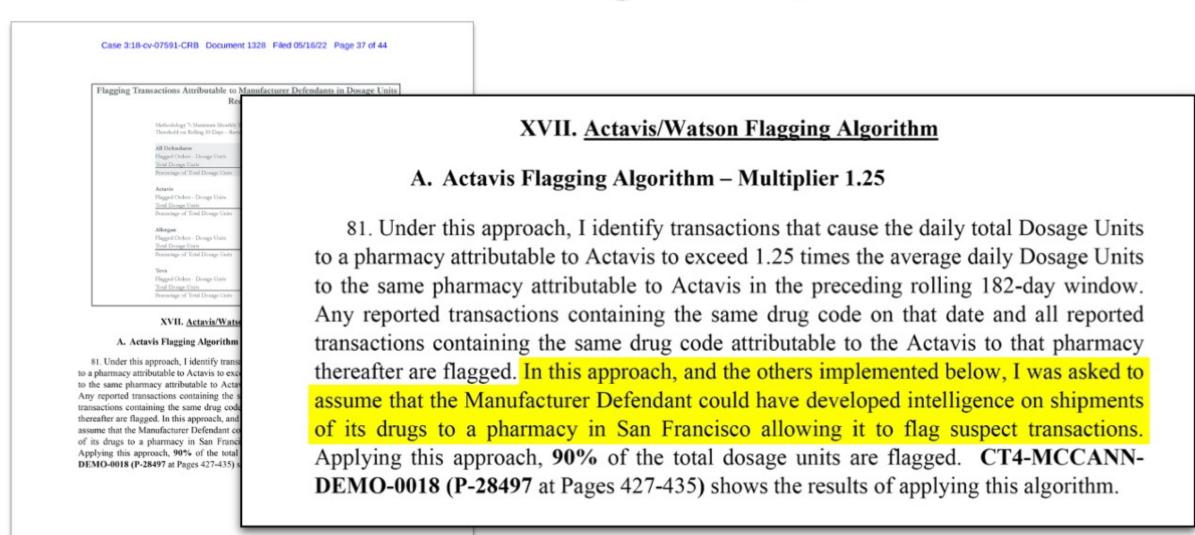
11

Recurrent

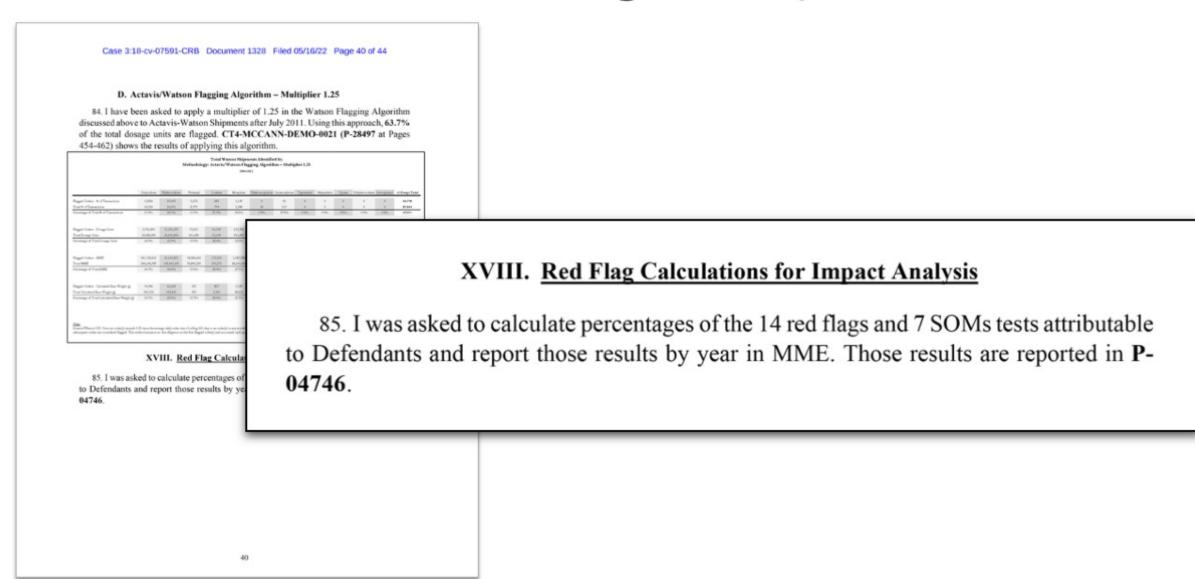
Methodology 1: Maximum Monthly Trailing 6 Month Pharmacy Specific Threshold – Recurrent



onrecurrent	Manufact	urer Att	ribution of	Flagged T	ransactions	in Dosage	Units	
thodology 1: Maximum Monthly	Nonrecurrent							
niling 6 Month Pharmacy Specific reshold – Nonrecurrent	Methodology Maximum M Trailing 6 Me Pharmaca So	onthly Trails with Maxis wife Fixed	odology 2: ng Six-month num Monthly, After First	Methodology 3: 2x Tailing 12	Methodology 4: 3x Trailing 12	Methodology 5: Maximum 8,000 Dosage Urota	Methodology & Maximum Daily	Methodology 7: Maximum Monthly Trading 6 Month. Phasmacy Specific
All Defendants			ered Threshold - ecucrent	Month Average - Nonseoument	Month Average - Nonrecament	Monthly - Nonrecurrent	Dosage Units - Nonrecument	Threshold on Rolling 30 Days - Nonrecurrent
Flagged Orders - Dosage Units	7,149,274							
Total Dosage Units	126,639,467	,274 ,467	36,442,626 126,639,467	126,639,46	7 126,639,46	7 126,639,467	7 125,731,39	0 128,639,4
Percentage of Total Dosage Units	5.6%	16%	28.99	11.35	6.39	6 24.6%	67.4)	% 25.0
		,460 ,765	33,904,980					
Actavis		16%	113,846,760 29:89					
Flagged Orders - Dosage Units	6,384,460							
Total Dosage Units	113,846,765	,760	347,120 1,917,020					
Percentage of Total Dosage Units	5.6%	.0%	18.19					
* * *		244	25.40		2 114,9%			0 38.
Cephalon (Branded)		,008	35/6X 269/03	3 269,00	8 209,00	3 259,068	3	0 209,
Flagged Orders - Dosage Units	13,264	1,5796	13.39	58.15	6 42.79	0.0%	h n/	n 14
Total Dosage Units	269,068	er Att	ribution of	Flagged T	ransactions	in Dosage	Units	
Percentage of Total Dosage Units	4.9%		N	onrecurre	at			
	4.270	Math	odolom 2					Methodology 7
* * * Cephalon (Generic)		ly Traili Marin Fixed	odology 2: ng Sox-month num Monthly, . After Funt	Methodology 3: 2x Trading 12	Methodology 4: 3x Trailing 12	Methodology 5: Maximum 8,000 Dosage Units	Methodology & Maximum Duly	Methodology 7: Maximum Monthly Trailing 6 Month Pharmacy Specific
* * * Cephalon (Generic) Flagged Orders - Dosage Units	8,160	ly Traili Marir Fixed Trigg	ng Six-month mum, Monthly,		Methodology 4:	Maximum 8,000		Maximum Monthly Trailing 5 Month Pharmacy Specific
* * * Cephalon (Generic) Flagged Orders - Dosage Units Total Dosage Units	8,160 131,490	ly Traili Marir Fixed Trigg	ng Sox-month num Monthly, After First ered Threshold -	2x Trailing 12 Month Average -	Methodology 4: 3x Trailing 12 Month Average -	Maximum 8,000 Dosage Units Monthly -	Maximum Duly Dosage Units -	Maximum Monthly Trailing 5 Month Pharmacy Specific Threshold on Rolling 3
* * * Cephalon (Generic) Flagged Orders - Dosage Units Total Dosage Units	8,160	ly Traili Marir Fixed Trigg	ng Sox-month num Monthly, After First ered Threshold -	2x Trading 12 Month Average - Nonrecurrent	Methodology 4: 3st Trailing 12 Mooth Average - Nonscourant	Maximum 8,000 Dosage Units Monthly - Nonrecurrent 7 31,173,50	Maximum Duly Dosage Units - Nonnecument 0 84,731,43	Maximum Monthly Trailing 6 Month Pharmacy Specific Threshold on Rolling 3 Days - Nonrecurrent
* * * Cephalon (Generic) Flagged Orders - Dosage Units Total Dosage Units Percentage of Total Dosage Units	8,160 131,490	ly Trails Marin Fixed Trigg None	ng Six-month num Monthly, After Fust ered Thurshold - ecusient 36,442,620	2x Trading 12 Month Average - Nonrecurrent 14,315,72 126,639,46	Methodology 4: 3st Trailing 12 Month Average - Nonsecurient 3 7,984,71 71 126,639,46	Maximum 8,000 Dosage Unite Moethly - Nonzeouzent 7 31,173,50 7 126,639,46	Maximum Duly Dosage Units - Nonpecument 0 84,731,43 7 125,731,35	Maximum Monthly Trading 6 Month Pharmacy Specific Threshold on Rolling 3 Days - Nonnecument 90 32,455 90 126,639
* * * Cephalon (Generic) Flagged Orders - Dosage Units Total Dosage Units Percentage of Total Dosage Units Teva (Branded)	8,160 131,490 6.2%	ly Trailie Martin Fizzed Trigge None 274 467	ng Sor-month man Monthly, After Funt end Thankhold - coursest 36,442,626 126,639,45 28.89	2x Trading 12 Month Average - Nonescurrent 14,315,72 7 126,629,44 11.3	Methodology 4: 3e Trailing 12 Month Avenge - Nonzecurrent 3 7,984,71 77 126,639,46 6 6.35	Maximum 8,000 Dosage Units Monthly - Nonrecurrent 7 31,173,50 7 126,639,46 6 24,65	Maximum Duly Dosage Units - Nonzecurent 0 84,731,43 7 125,731,26 67.41	Maximum Monthly Trading 6 Month Pharmacy Specific Thurshold on Rolling 3 Days - Nonnecurrent 30 32,455, 90 126,639, % 25
Cephalon (Generic) Flagged Orders - Dosage Units Total Dosage Units Percentage of Total Dosage Units Teva (Branded) Flagged Orders - Dosage Units	8,160 131,490 6.2%	ly Trails Marin Fixed Triggs None	ng Sor-month num Monthly, Affec Forn end Transhold - ecusient 36,442,626 126,639,45 25,29, 131,49	2x Traing 12 Month Average - Nonzecurrent 14,315,72 7 126,639,44 11.5 0 81,12	Methodology 4: 3x Trailing 12 Month Average - Nonsecurent 33 7,584,71 77 126,639,46 66 6.35 100 58,05 101 131,49	Maximum 8,000 Dosage Units Morahly - Nonnecument 7 - 31,173,50 7 126,639,46 6 24,65 0 131,49	Maximum Duly Dosage Units - Nonzecuzent 0 84,731,85 7 125,731,35 6 67.8	Maximum Monthly Trading 5 Month Pharmacy Specific Threshold on Rolling 3 Days - Nonrecurrent 30 32,455 90 126,639 % 25 0 28, 0 131,
* * * Cephalon (Generic) Flagged Orders - Dosage Units Total Dosage Units Percentage of Total Dosage Units Teva (Branded) Flagged Orders - Dosage Units Total Dosage Units	8,160 131,490 6.2% 140 37,356	ly Trailin Marrie Fizzed Triggs None	ng Sor-month num Monthly, After Funt ered Threshold - ecument 36,442,62 126,639,45 28,89	2x Traing 12 Month Average - Nonzecurrent 14,315,72 7 126,639,44 11.5 0 81,12	Methodology 4: 3x Trailing 12 Month Average - Nonsecurent 33 7,584,71 77 126,639,46 66 6.35 100 58,05 101 131,49	Maximum 8,000 Dosage Units Morahly - Nonnecument 7 - 31,173,50 7 126,639,46 6 24,65 0 131,49	Maximum Duly Dosage Units - Nonzecuzent 0 84,731,85 7 125,731,35 6 67.8	Maximum Monthly Trading 5 Month Pharmacy Specific Threshold on Rolling 3 Days - Nonrecurrent 30 32,455 90 126,639 % 25 0 28, 0 131,
Cephalon (Generic) Flagged Orders - Dosage Units Total Dosage Units Percentage of Total Dosage Units Teva (Branded) Flagged Orders - Dosage Units	8,160 131,490 6.2%	ly Trailin Marrie Fizzed Trigge None	ng Sor-month num Monthly, Affec Forn end Transhold - ecusient 36,442,626 126,639,45 25,29, 131,49	2x Trading 12 Month Average - Nonzecurrent 14,315,72 7 126,639,44 11.3 81,12 131,46 61.7	Methodology 4: 3s: Trailing 12 Month Average - Nonzeourent 33 7,984,71 77 126,639,46 6 6.36 60 58,06 131,49 6 44.19	Maximum 8,000 Dosage Urits Morthly - Nonzeouzent 7 - 31,173,50 7 126,639,46 6 24,65 0 131,49 6 0.05	Maximum Duly Dosage Units - Nonzecuzent 0 84,731,51 7 125,731,26 67.41	Maximum Monthly Trading 5 Month Pharmacy Specific Threshold on Rolling 3 Days - Nonrecurrent 30 32,455 30 126,639 36 25 0 28, 0 131, /4 21
* * * Cephalon (Generic) Flagged Orders - Dosage Units Total Dosage Units Percentage of Total Dosage Units Teva (Branded) Flagged Orders - Dosage Units Total Dosage Units Total Dosage Units Percentage of Total Dosage Units	8,160 131,490 6.2% 140 37,356	ly Trails Marie Final Marie Final Marie Final Marie Final Marie Final Fi	ng Sor-month num Monthly, After Furn end Threshold - ecument 36,442,626 126,639,45 28,89 131,49 19.29 549 37,35	2x Traing 12 Month Average - Nonrecurrent 14,315,77 125,639,44 11.3 131,45 61.7 123,01 37,35	Methodology 4: 3x Trailing 12 Month Average - Nonseourent 3 7,984,71 77 126,639,46 6 6.35 00 58,08 00 131,49 6 44.18	Maximum 8,000 Dosage Units Morehly - Nonsecurent 7 31,173,50 7 126,639,46 24.65 0 0 131,49 6 0.05	Maximum Duly Dosage Units - Nonrecument 0 84,731,43 6 67.6 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Maximum Monthly Trailing 6 Month Pharmacy Specific Threshold on Rolling 5 Days - Nonnecurrent 30 32,455 30 126,639 35 25 30 28 30 31 31 31 31 31 31 31
Cephalon (Generic) Flagged Orders - Dosage Units Total Dosage Units Percentage of Total Dosage Units Teva (Branded) Flagged Orders - Dosage Units Total Dosage Units Total Dosage Units Percentage of Total Dosage Units Teva (Generic)	8,160 131,490 6.2% 140 37,356 0.4%	ly Trails Marit Fined Tragg None 274 &67	35,442,626 125,639,45 25,29 131,49 15.25 15.25 15.25 15.25 15.25 15.25 15.25 15.25	2x Traing 12 Month Average - Nonrecurrent 14,315,72 125,639,44 11.3 11.3 11.3 11.3 11.3 11.3 11.3 11	Methodology 4: 3x Trailing 12 Month Average - Nonseourent 3 7,984,71 77 126,639,46 6 6.35 00 58,08 00 131,49 6 44.18	Maximum 8,000 Dosage Units Morehly - Nonsecurent 7 31,173,50 7 126,639,46 24.65 0 0 131,49 6 0.05	Maximum Duly Dosage Units - Nonrecument 0 84,731,43 7 125,731,36 6 67.6 0 0 0 6 1/6	Maximum Monthly Trading 6 Morth Trading 6 Morth Trading 6 Morth Trading 6 Morth Trading 7 Montecutrent Threshold on Rolling 3 Days - Nonnecutrent 30 32,455, 90 126,639, % 25 10 28, 0 131, /4 21. 10 3, 7, 11, 0 37, 11, 0 37, 12, 13, 14, 15
* * * Cephalon (Generic) Flagged Orders - Dosage Units Total Dosage Units Percentage of Total Dosage Units Teva (Branded) Flagged Orders - Dosage Units Total Dosage Units Percentage of Total Dosage Units Percentage of Total Dosage Units	8,160 131,490 6.2% 140 37,356	ly Trails Marie Final Marie Final Marie Final Marie Final Marie Final Fi	ng Sor-month num Monthly, After Furn end Threshold - ecument 36,442,626 126,639,45 28,89 131,49 19.29 549 37,35	2x Traing 12 Month Average - Nonzecurrent 14,315,72 125,639,44 11.3 81,12 131,45 61.7 23,00 6 37,33 6 61.8	Methodology 4: 3k Trailing 12 Month Average - Nonseourent 33 7,984,71 77 126,639,46 86 435 90 \$8,06 131,49 86 44.19 92 13,49 96 37,36 96 36.19	Maximum 8,000 Dosage Units Moorthly - Nonzeoursent 7 31,173,500 6 24,65 6 24,65 6 0 131,49 6 0.05 6 37,35 4 0.05 4 746,80 4 746,80	Maximum Duly Dosage Units - Nonrecurrent 0 84,731,43 7 125,731,36 6 67.6 0 0 6 84 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Manimum Monthly Trading 5 Morth Trading 5 Morth Trading 6 Morth Trading 6 Morth Thamacy Specific Threshold on Rolling 3 Days - Nonnecurrent 30 32,455, 90 126,639, 96 25 0 28, 0 131, /a 21 0 1, 0 37, /a 37, /a 300 2,288,



McCann Decl. Pg. 37 ¶ 81



McCann Decl. Pg. 40 ¶ 85

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58. P-29838 and P-29839 are summaries of the ARCOS Data and Walgreens Dispensing Data and compare the total dosage units of opioid shipments into Walgreens pharmacies (from January 2007 to December 2014) to the total dosage units of opioid prescriptions dispensed by Walgreens pharmacies (from January 2007 to June 2020) in a rolling 365-day window.

X. Red Flags on Walgreens Dispensing Data

A. 14 Red Flags

59. I was asked to implement various approaches to identify prescriptions meeting specified criteria, defined by Carmen Catizone, using the Walgreens Dispensing Data. The following criteria were used to identify prescriptions:

 Red Flag 1: An opioid was dispensed to a patient who traveled more than 25 miles to visit the pharmacy. The distance here is calculated from the center of the action is a made to the action of the abstraction of the action.

- Red Flag 1: An opioid was dispensed to a patient who traveled more than 25 miles to visit the pharmacy. The distance here is calculated from the center of
- Red Flag 2: An opioid was dispensed to a patient who traveled more than 25
 miles to visit their prescriber. The distance here is calculated from the center of
 the patient's zip code to the center of the prescriber's zip code.

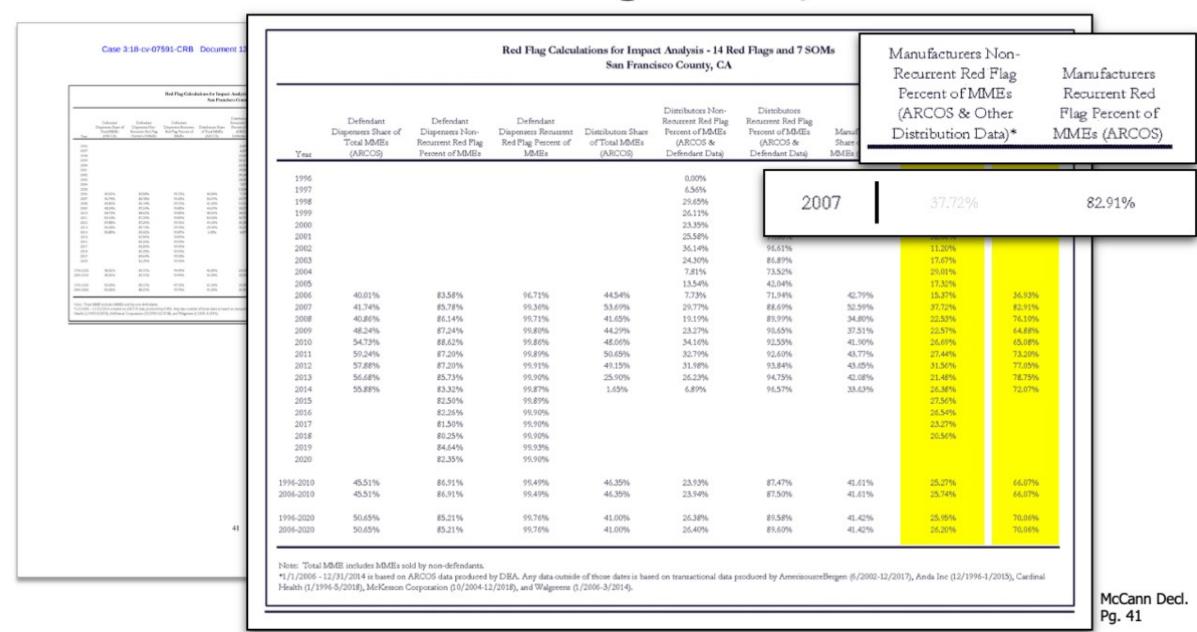
the patient's zip code to the center of the pharmacy's zip code.

- Red Flag 3: Patient was dispensed opioid prescriptions with overlapping days
 of supply that were written by two or more prescribers.
- Red Flag 4: Patient was dispensed opioid prescriptions with overlapping days
 of supply at two or more pharmacies.
- Red Flag 5: Patient was dispensed an opioid, a benzodiazepine, and a muscle relaxer for overlapping days of supply.
- Red Flag 6: Patient was dispensed an opioid, a benzodiazepine, and a muscle relaxer on the same day, and all the prescriptions were written by the same prescriber.
- Red Flag 7: Patient was dispensed an opioid and a benzodiazepine within 30 days of one another.

59. I was asked to implement various approaches to identify prescriptions meeting specified criteria, defined by Carmen Catizone, using the Walgreens Dispensing Data. The following criteria were used to identify prescriptions:

- Red Flag 8: Patient was dispensed an opioid and a benzodiazepine on the same day, and both prescriptions were written by the same prescriber.
- Red Flag 9: Patient was dispensed two short-acting (or immediate release) opioid drugs on the same day.
- Red Flag 11: Patient was dispensed an opioid prescription of over 200 MME per day on or before December 31, 2018, or over 90 MME per day after December 31, 2018.
- Red Flag 12: An opioid was dispensed to at least 4 different patients on the same day, and the opioid prescriptions were for the same base drug, strength, and dosage form and were written by the same prescriber.
- Red Flag 14: An opioid prescription was refilled more than 5 days before the patient's previous prescription should have run out.
- Red Flag 15: A patient was dispensed more than 210 "days of supply" of all
 opioids combined in a 6-month period.
- Red Flag 16: A patient was dispensed an opioid and paid in cash.

McCann Decl. Pg. 25-26 ¶ 59



Carmen Catizone Trial Testimony



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Okay. But you're certainly not saying that Walgreens should have refused to fill every prescription that Dr. Gores wrote over this 20-year period; true?

Any prescription in which red flags were not resolved,

they should not have dispensed that prescription, sir.

5/12/2022 Trial Tr. at 897:21-25

Joseph Rannazzisi Deposition Testimony



191:18 Q. From -- Mr. Burgess says, quote -191:19 this is on Page 76. This is hearing dated
191:20 April 29, 2014, called "Examining the Growing
191:21 Problems of Prescription Drug and Heroin Abuse
191:22 Before the Subcommittee on Oversight and
191:23 Investigations."
191:24 And, sir, now picking up on the
191:25 bottom of Page 76, Mr. Burgess says the
192:1 following, quote: I don't want to put words in
192:2 his mouth, but Mr. Rannazzisi seemed to imply
192:3 that we are overprescribing. Is that a fair
192:4 assessment of your testimony?"

192:5 Then, sir, it indicates that you 192:6 responded, quote: I think that, if you are 192:7 talking about 99.5 percent of the prescribers. 192:8 no, they are not overprescribing. But our 192:9 focus is in rogue pain clinics and rogue 192:10 doctors who are overprescribing. 192:11 Sir, do you see that? 192:12 A. Yes. 192:13 Q. Did I read that accurately? 192:14 A. Yes. 192:15 Q. Was that a statement that you made 192:16 in front of the subcommittee on oversight on 192:17 April 29, 2014? 192:19 THE WITNESS: Yes.

Plaintiff Court Ex. 4 at 191:18 - 192:17, 192:19