

Commonwealth of Kentucky v. Purdue Pharma L.P.

A Trial Notebook

Pike Circuit Court, Division II · Civil Action No. 07-CI-01303 · filed October 2007, settled December 2015

Built by CaseMate from a 65-document, 2,926-page corpus drawn from the UCSF–Johns Hopkins Opioid Industry Documents Archive: the pleadings, the discovery war, the 2007 federal criminal plea, the Richard Sackler deposition, Purdue’s internal launch-era documents, FDA correspondence, and the 2015 settlement. Every factual statement in this notebook carries a citation to a document and page in the corpus; deposition testimony carries transcript page:line. Quotations are transcription-faithful to the underlying scans — OCR artifacts are preserved and marked [sic] where they could mislead.

Prepared August 6, 2026. Demonstration work product — not legal advice. Sections: 1 Chronology · 2 Deposition digests · 3 Exhibit index · 4 Cast of characters · 5 Proof matrix · 6 Contradiction check · 7 Limitations & provenance.

The case in one page

In May 2007, The Purdue Frederick Company pled guilty in the Western District of Virginia to felony misbranding of OxyContin — marketing it “with the intent to defraud or mislead” as less addictive and less subject to abuse than other opioids — in a resolution totaling over \$600 million (npcf0232 pp.1, 3–7). The same week, Purdue entered a \$19.5 million consent judgment with 26 states and D.C. in Franklin Circuit Court (fldf0232 pp.1, 14), and Kentucky’s Attorney General filed suit. In October 2007 the Commonwealth and Pike County filed the action this notebook covers, serving 25 Requests for Admission with the complaint (zndf0232 p.1; hzcf0232 p.1).

Purdue removed to federal court without answering the requests, and the case spent five and a half years in the federal system — E.D. Kentucky, the MDL in the Southern District of New York, and the Second Circuit — before remand became final in early 2013 (hmdf0232 p.7; zndf0232 p.3). What followed was the case’s decisive fight: the Pike Circuit Court deemed all 25 requests admitted by operation of law (orders of April 1 and September 25, 2013), denied withdrawal, and the Court of Appeals unanimously denied Purdue’s writ petition (trcf0232 p.2). Armed with the deemed admissions and the plea record, the Commonwealth tendered a motion for partial summary judgment on liability on April 2, 2014 — but the motion was never heard: the court placed the action in abeyance pending the Kentucky Supreme Court’s writ ruling (rzcf0232 pp.1–2; see the box below). Discovery resumed in late 2014; Richard Sackler was deposed for the Commonwealth in August 2015; and on December 22, 2015, the parties settled: \$24 million, dismissal with prejudice, and — the price of peace — withdrawal of the deemed admissions (gfd0232 pp.7, 10; xpdf0232 p.2).

The order that wasn’t — a caution for anyone using this archive

The archive contains a 31-page “Order Granting Commonwealth’s Motion for Partial Summary Judgment on Liability” (trcf0232) reciting count-by-count conclusions against Purdue. It reads like the turning point of the case, and it is easy to cite it that way. It was never entered.

The document’s only stamp is **TENDERED APR 02 2014**; the signature block — “Steven D. Combs, Judge / Pike Circuit Court / Date” — is blank, and page 31 is the Commonwealth’s own tender block. Nineteen months later the Commonwealth itself confirmed: “The Commonwealth’s Motion for Summary Judgment has not been heard... which will be scheduled for a hearing after the Kentucky Supreme Court’s ruling in Purdue Pharma’s Writ Action” (xhdf0232 p.1, Nov. 5, 2015). An August 20, 2014 order had placed the action in abeyance (rzcf0232 p.2). The case settled with liability never adjudicated.

Every count-by-count “conclusion” quoted from trcf0232 in this notebook is therefore the Commonwealth’s proposed order — its theory of the case in decretal form — not a ruling. It is used here as exactly that.

Abbreviations and citation form

FAC — First Amended Complaint (hzcf0232, Oct. 10, 2007). **ASOF** — Agreed Statement of Facts, U.S. v. The Purdue Frederick Co., No. 1:07-cr-00029-JPJ, W.D. Va. (zfdf0232). **RFA** — the Commonwealth’s Requests for Admission served Oct. 4, 2007 (text at zndf0232 pp.18–22). **Sackler Dep.** — videotaped deposition of Richard Sackler, M.D., Aug. 28, 2015, cited as transcript page:line with the corpus PDF page in parentheses. Documents are cited by their Industry Documents Library ID and PDF page (e.g., gfd0232 p.7); the ID-to-title key is Section 3 and the source list in Section 7.

1 · Case chronology

Fifty-nine events, 1994–2015, each sourced to the corpus. Dates come from the documents themselves — file stamps, entry stamps, certificates of service, and the dates on the faces of internal memoranda. Where a date is approximate or a stamp is illegible, Section 7 lists the uncertainty.

Date	Event	Cite
Dec. 28, 1994	Purdue submits OxyContin NDA 20-553 to FDA.	mgdf0232 p.1
Dec. 29, 1994	“Product Pipeline and Strategy – VERY CONFIDENTIAL” memo to Drs. Mortimer, Raymond & Richard Sackler and M. Friedman: “We do not want to position OxyContin in a way that will discourage physicians from using OxyContin for chronic non-malignant pain.”	fqc0232 pp.1, 4
Feb.–Mar. 1995	Purdue focus groups of 40 physicians on non-cancer use; “[t]he biggest negative of [OxyContin] was the abuse potential.”	ASOF ¶19, zfdf0232 p.5
Mar. 31, 1995	First OxyContin Launch Team meeting (minutes Apr. 4, 1995): expand “out of the cancer pain market”; “do not want to niche OxyContin just for cancer pain” (OCR degraded). Later marked Sackler Dep. Ex. 24.	sxdf0232 p.1
Oct.–Dec. 1995	Purdue and FDA’s DDMAC spar over launch materials’ “fewer ‘peaks and valleys’” blood-level claim; Purdue reports the claim “deleted” (Jan. 11, 1996).	ASOF ¶¶21–24, zfdf0232 pp.7–8
Dec. 12, 1995	FDA approves OxyContin NDA 20-553: “the application is approved effective on the date of this letter.”	mgdf0232 p.1
1996	1996 Budget Plan: OxyContin is “the opioid to start with (for patients who would otherwise be started on Percocet, Lortab, Vicodin or Tylenol #3...) and the opioid to stay with.”	jxlh0228 p.17
May 6, 1996	Geneva meeting with Prof. Dayer (minutes May 15, faxed to R. Sackler): flags need for “information about the abuse/addiction potential vs other opioids because of the rapid onset of action of OxyContin.”	khdf0232 pp.1, 3
Aug.–Sep. 1996	R. Sackler press-release emails: first-year sales projection hit four months early; wants Purdue “feared as a tiger with claws, teeth and balls.”	htcf0232 pp.1–2; Sackler Dep. 222:1–7 (p.56)
Oct. 23, 1996	Phase IV team email (later Dep. Ex. 27 by content): physicians attending dinner programs “wrote more than double the number of new [prescriptions] for OxyContin,” weekend meetings a factor of 2.16–2.62.	rhdf0232 p.1; Sackler Dep. 202:13–22 (p.51)
Feb. 27, 1997	Kaiko email (read into deposition): “Oxycodone-containing products are still among the most abused opioids in the U.S.”; no sufficient case that OxyContin “has minimal or no abuse liability.”	Sackler Dep. 57–59 (p.15)
May 1997	Purdue supervisors decide not “to make physicians think that oxycodone was stronger or equal to morphine” — leaving the potency misperception in place.	ASOF ¶29, zfdf0232 p.9
1998	1998 Budget Plan: “A greater emphasis will be placed on advertising OxyContin for non-cancer pain in journals.”	lxlh0228 p.29
Dec. 1998	District-manager training uses a false blood-level graphic “instead of the graphical demonstration of the actual clinical data.”	ASOF ¶25, zfdf0232 p.8
Jan. 25, 1999	Gasdia sales bulletin: bonus credit of “\$1.15 for every \$1.00 of OxyContin” (vs. \$0.50 MS Contin); position OxyContin as “the opioid to start with and stay with.”	nscf0232 p.1
1999	1999 Budget Plan: OxyContin “will be more aggressively promoted for use in the non-malignant pain market.”	mxlh0228 p.22
May 29–31, 1999	R. Sackler “New Office” email chain (later Dep. Ex. 3): “You won’t believe how committed I am to make OxyContin a huge success. It is almost that I dedicated my life to it.”	frcf0232 p.1; Sackler Dep. 31–32 (p.8)
1999	“Proven EFFECTIVE in ARTHRITIS PAIN” journal ad, co-promoted with Abbott.	xgdf0232 pp.1–2

Date	Event	Cite
Nov. 30, 1999	Field email (Jim Speed; later Dep. Ex. 35): physicians report crushing of 40/80 mg tabs “to ‘get high’” and syringe extraction through cotton.	Sackler Dep. 278–279 (p.70)
Mar. 2000	“By March 2000, various PURDUE supervisors and employees ... had received reports of OxyContin abuse and diversion occurring in different communities.”	ASOF ¶41, zfdf0232 p.14
May 11, 2000	FDA DDMAC letter: the NEJM arthritis ad “promotes OxyContin in a manner that is false or misleading.”	ygdff0232 p.1
May 18, 2000	Purdue Medical Services: patients “not being able to stop OxyContin without withdrawal symptoms has come up quite a bit ... (at least 3 calls in the last 2 days).”	ASOF ¶33, zfdf0232 pp.11–12
Jun. 26, 2000	Osteoarthritis-study reprint sent to the entire sales force with a “marketing tip.”	ASOF ¶34, zfdf0232 p.12
Feb.–Mar. 2001	Internal review finds unreported withdrawal in the study; supervisor on writing it up: “I would not write it up at this point.”	ASOF ¶¶35–36, zfdf0232 pp.12–13
2001	2001 Budget Plan: \$1.4 billion factory-sales objective; OxyContin “will continue to be aggressively promoted for use in the non-malignant pain market.”	yxlh0228 pp.13–14
Jul. 2001	FDA approves label supplement S-022 addressing “the abuse, misuse and diversion of OxyContin.”	mgdff0232 p.71
Jan. 17, 2003	FDA WARNING LETTER to Friedman re JAMA ads: they “omit and minimize the serious safety risks associated with OxyContin, and promote it for uses beyond which have been proven safe and effective”; “especially egregious and alarming in its potential impact on the public health.”	jxdff0232 pp.1–2
Oct. 12, 2004	Purdue–Kentucky tolling agreement (limitations tolled from May 12, 2004).	kfdff0232 pp.13–14
Oct. 25, 2006	Agreement in principle with the United States; \$130 million set aside for private civil claims.	npcf0232 p.5
May 8, 2007	Kentucky AG Stumbo’s Franklin Circuit complaint FILED (received May 3), No. 07-CI-00740.	kfdff0232 p.1
May 8, 2007	Multistate Consent Judgment ENTERED, Franklin Circuit: \$19.5 million to 26 states + D.C.; release limited to consumer-protection claims, expressly excepting “Medicaid fraud or Abuse” (¶36(b)).	fldff0232 pp.1, 14, 16–17
May 10, 2007	Federal plea package filed, W.D. Va.: Purdue Frederick pleads guilty to felony misbranding (21 U.S.C. §§ 331(a), 333(a)(2)); ASOF ¶20: supervisors and employees, “with the intent to defraud or mislead, marketed and promoted OxyContin as less addictive, less subject to abuse and diversion...” Friedman, Udell, Goldenheim plead to misdemeanors; Udell disgorges \$8 million.	npcf0232 p.1; zfdf0232 pp.5–6; zgdf0232 pp.1–2
May 10, 2007	Plea financial terms: \$276.1M forfeiture; \$160M civil settlement; \$20M Virginia PMP trust; Purdue bound never to contradict the ASOF.	npcf0232 pp.3–7
Jul. 25 / 30, 2007	Criminal judgment entered; Amended Judgment (Judge James P. Jones): 5 years’ probation, \$500,000 fine.	hmdff0232 p.5; qqcf0232 pp.1–5
Oct. 4, 2007	Commonwealth + Pike County file the Pike Circuit action, No. 07-CI-01303 — with 25 Requests for Admission served alongside.	zndff0232 pp.1, 18–22
Oct. 10, 2007	First Amended Complaint filed (13 counts; adds Abbott Laboratories).	hzcf0232 p.1
Oct. 29, 2007	Purdue removes to E.D. Ky. and answers there — without responding to the RFAs.	skdff0232 p.1; zndff0232 pp.2, 5–6
2007–2011	Transferred, consolidated, and stayed in the MDL (S.D.N.Y.).	hmdff0232 p.7
Sep. 26, 2011	S.D.N.Y. (Stein, J.) remands: removal was improper. 821 F. Supp. 2d 591.	hmdff0232 p.7
Jan. 9, 2013	Second Circuit denies Purdue’s petition; Purdue Pharma L.P. v. Kentucky, 704 F.3d 208.	hmdff0232 p.7

Date	Event	Cite
Feb. 8, 2013	Pike Circuit Clerk “received the case file back ... ending the Commonwealth’s five and one-half (5½) year involuntary odyssey into the federal court system.”	zndf0232 p.3
Mar. 2013	Commonwealth moves to deem the 2007 RFAs admitted (CR 36.01).	zndf0232 p.1
Apr. 1, 2013	Pike Circuit order: the admissions are deemed admitted by operation of law.	smdf0232 p.4; mrcf0232 p.1
Apr. 12 / 29, 2013	Purdue serves late responses; moves to rescind or withdraw the admissions (CR 36.02).	mrcf0232 pp.1, 3
Aug. 5, 2013	Judge Jones (W.D. Va.) refuses to enjoin the Kentucky action: “I will deny Purdue’s request for an injunction.”	hmdf0232 pp.2–3
Aug. 28, 2013	Franklin Circuit likewise refuses: “Purdue may raise the Consent Decree as an affirmative defense in Pike Circuit Court.”	skdf0232 p.4
Sep. 25, 2013	Second Pike Circuit order confirms the deemed admissions.	gfd0232 p.10
Oct. 15 / 25, 2013	Purdue’s Amended Answers accepted as filed — adding res judicata and release defenses built on the 2007 Consent Judgment and federal settlement.	qzcf0232 p.1; skdf0232 p.2 n.1
Dec. 4, 2013	Agreed Qualified Protective Order entered.	gfd0232 pp.10–11; lpcf0232 p.2
Feb. 11, 2014	Oral argument, Ky. Court of Appeals, on Purdue’s writ petition against the deemed admissions (No. 2013-CA-001941-OA).	smdf0232 p.1
Feb. 28, 2014	Court of Appeals “unanimously denied Purdue’s petition for a writ of prohibition.” Purdue Pharma L.P. v. Combs, 2014 WL 794928 (To Be Published). Purdue appeals on to the Kentucky Supreme Court.	trcf0232 p.2
Apr. 2, 2014	Commonwealth files its Motion for Partial Summary Judgment on Liability and tenders a proposed 31-page order. The order is never signed — see Section 1’s callout and Section 7.	lkdf0232 p.1; trcf0232 pp.1, 30–31
Aug. 20, 2014	Action PLACED IN ABEYANCE pending the Supreme Court’s writ ruling; the SJ motion is the one thing that stays frozen.	rzcf0232 p.2
Dec. 23, 2014	Discovery permitted to proceed notwithstanding the abeyance.	rzcf0232 p.2
Aug. 28, 2015	Videotaped deposition of Richard Sackler, M.D., Louisville — 9:11 a.m. to 7:58 p.m., for the Commonwealth. See Section 2.	Sackler Dep. pp.1, 3 (pp.1, 3)
Oct.–Nov. 2015	Trial Order (Oct. 21) sets 2016–17 pretrial schedule; motions to compel and cross-motions for protective orders from both sides; Commonwealth confirms (Nov. 5) the SJ motion “has not been heard.”	tgdf0232 p.1; fgdf0232 p.1; ntcf0232 p.1; xhdf0232 p.1
Nov. 20, 2015	Purdue seeks leave to file partial SJ on res judicata/release grounded in the 2007 Consent Judgment; Commonwealth opposes; Abbott joins with a limitations motion.	rzcf0232 pp.1, 3; kndf0232 p.1; gzc0232 p.1
Dec. 18, 2015	SETTLEMENT AGREEMENT AND GENERAL RELEASE executed: \$24,000,000 in nine installments; deemed admissions to be withdrawn (§20); Purdue “expressly denies liability.”	gfd0232 pp.4, 7, 10, 15
Dec. 22, 2015	AGREED JUDGMENT tendered and ENTERED (Harris, J., sitting by designation): action dismissed with prejudice; deemed admissions withdrawn under CR 36.02; Purdue’s April 12, 2013 responses accepted as the proper responses; writ appeals (2014-SC-168, 2015-SC-342) to be dismissed.	xpdf0232 pp.1–3, 13

2 · Deposition digests

The corpus contains one full deposition — Richard Sackler’s, the anchor of this notebook — plus two shorter pieces of sworn testimony by other Purdue principals, digested at the end of this section. The transcript is printed condensed, four transcript pages per PDF page; transcript page T sits on PDF page [T/4]. Citations: transcript page:line (corpus PDF page).

Richard Sackler, M.D. — August 28, 2015

Videotaped for the Plaintiff in Commonwealth ex rel. Conway v. Purdue Pharma L.P., taken at the Louisville offices of the Commonwealth’s outside counsel, 9:11 a.m. to 7:58 p.m. (Dep. 9:1–16 (p.3); 335 (p.84)). Examining: Tyler S. Thompson, with Anthony Ellis and Asst. Deputy AG Mitchel T. Denham. Defending: Donald Strauber and Jay Henneberry (Chadbourn & Parke) with Daniel Danford (Stites & Harbison) and in-house counsel Richard Silbert; Jason Sayers (Venable) for Abbott. Reporter: Lauren L. Gootee, RPR, Coulter Reporting (pp.1–3). Forty exhibits were marked; one question was certified to the court (298:11 (p.75)).

The witness

Director of Purdue Pharma, Inc. — the general partner of Purdue Pharma L.P. — since 1990, reading from his own 2014 declaration: “I am a director of Purdue Pharma, Inc., the general partner of Purdue Pharma, LP. I’ve held this position since 1990” (13:6–12 (p.4)). President of Purdue Pharma L.P. “[f]rom the very last days of ’99 until March of 2003” (321:17–20 (p.81)); later co-non-executive board chairman (231 (p.58)). Last practiced medicine “[i]n 1974 during my residency” (321:14–16 (p.81)). On how many Purdue entities exist: “I don’t know” (12:5–13 (p.3)).

Key admissions

The fifteen most consequential exchanges, verified verbatim against the transcript:

Admission (exact words)	Cite
“You won’t believe how committed I am to make OxyContin a huge success. It is almost that I dedicated my life to it.” (his 1999 email, read to him) — “Did I read that correctly?” “You did.”	31–32 (p.8); frcf0232 p.1
Purdue should be “feared as a tiger with claws, teeth and balls” (his 1996 email, adopted on the record).	222:1–7 (p.56); htcf0232 p.1
No pre-market abuse studies: “Did you ever do any studies on abuse liab[il]ity for OxyContin before you-all put it on the market?” “I’m not aware of any.”	46:19–22 (p.12)
“We do not have any abuse l[ia]bility studies.” — as of 1997: “That’s correct.”	51:17–20 (p.13)
Descheduling would lift sales: “It’s going to increase sales?” “That is reasonable...” — and his own words: “How substantially would it improve your sales?”	51:8–16 (p.13); 61:5–6 (p.16)
The Agreed Statement of Facts is accurate: “Is the Agreed Statement of Facts accurate?” “I believe it is.”	228:8–10 (p.57)
The misbranding statements “are not correct”: “And those statements are not correct?” “No, they’re not correct.”	~269:19–20 (p.68)
Sales force more than doubled in five years; top sellers earned Toppers trips (Bermuda, London): “That’s correct.” / “Yes.”	186:1–8 (p.47)
Family profits “over a billion dollars”: “It would be fair to say that, yes.”	44 (p.11)
Marketing deliberately avoided the cancer-pain link — the “personality” strategy: “extremely dangerous ... to tamper with this ‘personality’” (1997 memo, read to him).	78:16–21, 81:4–12 (pp.20–21)

Admission (exact words)	Cite
His own email: dinner-program physicians “wrote more than double the number of new prescriptions.”	202:13–22 (p.51); rhd0232 p.1
First learned of abuse “winter of 2000 ... early in the year 2000,” from a newspaper; not aware of the Nov. 1999 field warning.	277–279 (p.70)
No effort to count Kentucky dependence: “...do you know how many patients who took OxyContin in Kentucky became dependent or addicted?” “No.”	335:2–5 (p.84)
“Do you believe that an inappropriate number ... of patients who took OxyContin in Kentucky became addicted or dependent?” “No.”	335:6–10 (p.84)
Heroin progression never studied: “...how many people who were started on OxyContin wound up becoming dependent and moving on to heroin at some point?” “No.” — the deposition’s final substantive answer.	335:11–15 (p.84)

Topics, in brief

Launch and positioning. Confronted with the 1995 launch-team minutes (Ex. 24): MS Contin’s generic exposure meant “we must establish OxyContin” — “Yes, I was aware of that... we would have a much sma[ll]er company” (175:20–25 (p.44)) — though he denied holding that motive himself (38:12–16 (p.10)). Positioning: cancer pain primary, non-malignant secondary, “do not want to niche” (176:12–18 (p.44)).

Marketing and sales. The 1997 “personality” memo — “[w]e specifically linked OxyContin to the oxycodone combinations with our ‘old way, new way’ campaign,” pricing “geared toward the non-malignant market ... where we really wanted to make a market” (78–79 (p.20)). Sales-force economics: bonus-majority compensation for top sellers (185:16–20 (p.47)); the \$1.15/\$1.00 OxyContin bonus factor (Ex. 40; 334 (p.84); nsc0232 p.1). Abbott co-promotion: 120 reps added in 1999; \$536 million in commissions over 1996–2005 (43:13–14 (p.11); 204 (p.51)).

Knowledge of abuse. He dated his first awareness to a Maine newspaper story in early 2000 (277:8–12 (p.70)); the record then put before him the 1997 Kaiko emails (“still among the most abused opioids in the U.S.” — 59 (p.15)), the Geneva minutes faxed to him in 1996 (khdf0232 pp.1, 3), and the November 1999 field email describing crushing and syringe extraction (Ex. 35; 278–279 (p.70)). No dependency studies were done or proposed: “I know of no such study, and I don’t recollect that anybody ever suggested such a study” (291:1–8 (p.73)).

The 2007 plea. The board voted to plead guilty on management’s recommendation (227:23–228:3 (p.57)); he never read the entire Agreed Statement of Facts (231 (p.58)) but affirmed it accurate (228:8–10 (p.57)) and conceded the misbranded claims were false (269 (p.68)). A rep telling a physician “[y]ou don’t get a buzz with OxyContin” would be “inappropriate” — “Yes” (311:16–19 (p.78)).

Kentucky. He denied Purdue’s conduct caused the Commonwealth’s addiction problems (“I don’t believe so,” 294:13–25 (p.74)) — and, asked whether he ever checked: “I don’t know how I would have checked that” (296:2–4 (p.74)). Shown a Lexington call note — “Got to convince him to counsel patients that they won’t get buzzed as they wi[ll] with short-acting” (298:1–7 (p.75)) — he did not know whether any Kentucky rep was disciplined (309:5–8 (p.78)).

For the litigator: patterns worth noting

Entity-splitting from the first question — standing objection that “there are a number of defendants that bear some portion of the Purdue name, and the distinction can be significant” (Strauber, 11:4–10 (p.3)), leveraged by the witness (“it tests my memory to separate the two,” 23:11–16 (p.6)). Pervasive non-recollection on documents he authored or received (12, 40, 227, 309). One instruction not to answer, on the Shapiro call-note review, producing the certified question (298:11–25 (p.75)). Repeated

requests to read entire documents (“I haven’t seen this for 16 years,” 30 (p.8)). Final exchange, after ten-plus hours: “Are we finished? Or maybe not. I don’t know” (335 (p.84)).

Secondary testimony in the corpus

House Oversight hearing, Dec. 17, 2020 (hfxj0269, 70pp — the [ERRATA II] reprint of Serial No. 116-130): sworn testimony of Dr. Kathe Sackler, David Sackler, and CEO Dr. Craig Landau. Kathe Sackler, asked to apologize: “I have struggled with that question... there’s nothing that I can find that I would have done differently” (printed p.13 (p.21)). Landau: Purdue “pleaded guilty to three felonies in Federal district court, yes” (printed p.27 (p.35)); no executive has “spent a day in jail” (printed p.29 (p.37)). Federal 2020 testimony — context, not Kentucky record evidence.

Kathe Sackler deposition excerpt, Apr. 1, 2019 (ljwt0232, 6pp — MDL 2804 filing exhibit 97, depo pp. 222–237): “I don’t believe Purdue has a legal responsibility, but ... everyone has a responsibility, clearly” (228:6–18 (p.4)); “I don’t see that one pharmaceutical company or one product has a causative relationship to the opioid epidemic” (229:2–24 (p.4)). The full transcript is not publicly available; see Section 7.

3 · Exhibit index

Kentucky-stamped exhibits held as standalone documents

Each bears Kentucky protective-order or exhibit stamps and appears in, or pairs with, the Sackler deposition. Read whole and indexed from the face of the document.

ID	Date	Description	Bates	Pp
fqcf0232	Dec. 29, 1994	Interoffice memo, “Product Pipeline and Strategy – VERY CONFIDENTIAL,” to Drs. Mortimer, Raymond & Richard Sackler and M. Friedman: launch OxyContin beyond cancer via GPs/FPs; “perceive OxyContin as Controlled-release Percocet.”	PDD1701020431–438	8
sxd0232	Apr. 4, 1995	OxyContin Launch Team Meeting 3/31/95 minutes — Sackler Dep. Ex. 24 (sticker “...acklr24”). Expansion out of the cancer market; q12h dosing the “most important benefit.”	PDD7024301502	1
khdf0232	May 15, 1996	Minutes, meeting with Prof. Dayer (Geneva), faxed to R. Sackler: abuse/addiction potential “would need further investigations”; low back pain “not regarded a suitable indication for opioids in Europe.”	PDD1701825125–127	3
htcf0232	Aug.–Sep. 1996	R. Sackler press-release email chain (Dep. Ex. 31 by content): first-year projection early; “feared as a tiger with claws, teeth and balls.”	PDD9570163208–210	3
rhdf0232	Oct. 23, 1996	Phase IV OxyContin Team minutes email chain — matches Dep. Ex. 27 by content (no sticker visible): dinner programs doubled new prescriptions; Friedman: “have someone check the before and after calls to these doc[tor]s.”	PDD1701014399	1
nscf0232	Jan. 25, 1999	Sales Bulletin No. 10 (Russ Gasdia): Q1 bonus factors — \$1.15 per OxyContin dollar vs. \$0.50 MS Contin; “the opioid to start with and stay with.”	PDD1701014404	1
frcf0232	May 30–31, 1999	“New Office” email chain — Sackler Dep. Ex. 3 (sticker partially legible): “You won[’t] believe how committed I am to make OxyContin a huge success.”	P091492–493	2
xgdf0232	1999 (©)	“Proven EFFECTIVE in ARTHRITIS PAIN” journal ad, Purdue + Abbott co-promotion; stamped “EXHIBIT P.”	KYOXY_0013051–52	3
ygd0232	May 11, 2000	FDA DDMAC letter (untitled — not styled a Warning Letter) to Beth Connelly, R.N.: the NEJM arthritis ad “promotes OxyContin in a manner that is false or misleading”; stamped “Exhibit O.”	KYOXY_0013048–49	2
jxd0232	Jan. 17, 2003	FDA WARNING LETTER to Michael Friedman re the 2002 JAMA ads; “especially egregious and alarming” (p.2); stamped “EXHIBIT M.”	KYOXY_0013034–41	8

Deposition-exhibit correspondence: Ex. 24 = sxd0232 (sticker legible); Ex. 3 = frcf0232 and Ex. 27 = rhdf0232 (matched by content read into the record; stickers garbled or absent — noted as identifications by content, not stamp). The transcript references 40 marked exhibits in all; those not in the corpus (e.g., Ex. 6 profit calculation, Ex. 11 “personality” memo, Ex. 35 Speed email) survive as verbatim readings in the transcript itself.

The 316-page compilation (ysxk0282) — related-litigation material

Fully mapped, every page accounted for: it is not Kentucky-case material but a set of exhibits (Nos. 52–64) from State of Oklahoma v. Purdue, No. CJ-2017-816 — Pain Care Forum lobbying emails, two Oklahoma expert-damages packages, and deposition excerpts. Valuable context on Purdue’s wider promotion apparatus; cited in this notebook only as such, never as Kentucky record evidence.

PDF pp. (divider / body)	Exhibit	Contents	Bates
1 / 2–3	Ex. 52	Rosen (Purdue VP Federal Govt Affairs) → Cephalon, Jan. 26, 2005: “The Pain Care Forum – A Proposal.”	POK003317380–81
4 / 5–26	Ex. 53	Rosen → ~30 Pain Care Forum members, Mar. 10, 2005: pain-education funding proposals (Alliance for Aging Research; Dilenschneider PBS series).	POK003316695–715
27 / 28	Ex. 54	Hogen → Rosen email, Jan. 30, 2003 (cc Giuliani Partners): pitching the RxAction Alliance.	PPLPC032000015778
29 / 30–124	Ex. 55 + S-1/S-2	Oklahoma expert disclosure and report: Christopher J. Ruhm, Ph.D. — abatement cost NPV “at least: \$12,833,252,568 over a 20-year period” (p.30); report + CV.	—
125 / 126–245	Ex. 56 + G-1–G-4	Oklahoma expert disclosure: James L. Gibson, Ph.D. — past damages ≥ \$4.29B, future ≥ \$8.20B; report, vita, publications.	—
246 / 247–255	Ex. 57	Plaintiffs’ production tracker (Purdue, Teva, Janssen, Watson, state agencies; Bates ranges).	various
256 / 257–270	Ex. 58	Russell Portenoy, M.D. deposition excerpt, Jan. 24, 2019 (OK v. Purdue).	—
271–301	Exs. 59–61	Hassler (Teva) deposition exhibits: Pain Care Forum emails, member directory, 2009 Media Committee report (“zero sum game”).	POK003317380–84 etc.
302–308	Exs. 62–63	Deem-Eshleman (J&J) exhibit: Pain Care Forum participants list (2013); Cramer (Purdue) depo excerpt: “total prescription level is highly correlated to call activity.”	JAN-MS-00992093
309 / 310–316	Ex. 64	Purdue internal deck “OxyContin 2012 ACAM Part II,” June 20, 2011: prescription-loss and switch tracking.	PKY183117966–75

4 · Cast of characters

Every role below is stated as the record shows it, with a citation. OCR name variants observed in the corpus are listed at the end — worth knowing before running any search of these documents.

Purdue — family, executives, and the convicted officers

Name	Role in the record	Key cites
Richard S. Sackler, M.D.	Director of Purdue Pharma, Inc. (general partner of Purdue Pharma L.P.) since 1990; President of Purdue Pharma L.P. late 1999–March 2003; the corpus’s deponent. Author of the “dedicated my life,” “tiger,” and dinner-ROI emails.	Dep. 13:6–12 (p.4), 321 (p.81); frcf0232; htcf0232; rhdf0232
Michael Friedman	1994 head of marketing/sales rising to CEO; pled guilty May 10, 2007 to misdemeanor misbranding as a responsible corporate officer; addressee of the 2003 FDA Warning Letter.	trcf0232 p.4 ¶12; jxdf0232 p.1; rhdf0232 p.1
Howard R. Udell	Vice President and Chief Legal Officer (title per trcf0232 ¶12 — his plea agreement carries no title); pled to misdemeanor misbranding; disgorged \$8,000,000; authored the 2005 letter to AG Stumbo arguing Purdue “has committed no unlawful act.”	zgd0232 pp.1–2; trcf0232 p.4; Dep. 223–225 (pp.56–57)
Paul D. Goldenheim	Former EVP Worldwide R&D and Chief Scientific Officer; pled to misdemeanor misbranding; recipient of the Geneva/Dayer minutes.	trcf0232 p.4; zfdf0232 p.19; khdf0232 p.1
Mortimer & Raymond Sackler	With Richard, the three recipients of Friedman’s 1994 strategy memos — “the three people [he] reported to.”	fqcf0232 p.1; Dep. 26 (p.7)
Kathe Sackler, M.D.	VP and board member 1990–2018; her 2019 MDL deposition survives here only as a 6-page excerpt; 2020 House witness (“nothing that I can find that I would have done differently”).	ljmw0232; hfxj0269 printed p.13 (p.21)
David Sackler / Craig Landau, M.D.	Board member 2012–2018 / CEO from 2017 (earlier CMO); 2020 House witnesses.	hfxj0269 pp.14, 35, 37
Sales & marketing personnel	Mark Alfonso (launch-team lead), Mike Innaurato (positioning presentation), Linda Harrison (team minutes), Robert Kaiko (scientist; 1997 abuse emails), Russ Gasdia (bonus bulletin), Robin Hogen (PR), Burt Rosen (VP Federal Govt Affairs; Pain Care Forum).	sxdf0232; rhdf0232; nscf0232; ysxk0282 pp.2, 28

The Purdue entities — a legally significant distinction

Name	Role in the record	Key cites
The Purdue Frederick Co., Inc.	New York corporation, Stamford CT — THE entity convicted of felony misbranding (21 U.S.C. §§ 331(a), 333(a)(2)).	npcf0232 p.1; qqcf0232 p.1
Purdue Pharma L.P. / Purdue Pharma, Inc.	Delaware LP that markets and sells OxyContin / its general partner. Lead civil defendants here — but not the convicted entity, a distinction Purdue’s counsel enforced from the deposition’s first question.	hzcf0232 p.1; Dep. 11:4–10 (p.3), 33:19–24 (p.9)
Purdue Pharmaceuticals L.P. / The P.F. Laboratories, Inc.	Manufacturing entities — Wilson, NC and Totowa, NJ respectively, each making OxyContin “on behalf of an associated company” (admitted).	skdf0232 p.104 ¶¶13–14
Abbott Laboratories (+ Abbott Laboratories, Inc.)	Co-promotion partner to hospital-based specialties, 1996–2003; \$536M in commissions per the deposition. Role contested: the Commonwealth called Abbott a “comarketer”; Abbott: “limited and defined promotional assistance,” no part in the federal plea.	mmdf0232 pp.5, 7–8; smdf0232 p.6; Dep. 43:13–14 (p.11)

The Commonwealth, the courts, and the United States

Name	Role in the record	Key cites
Gregory D. Stumbo → Jack Conway	Kentucky Attorneys General: Stumbo filed both 2007 complaints; Conway carried the case from 2008, argued the writ personally, and signed the 2015 settlement.	hzcf0232 p.2; smdf0232 pp.3, 6; xpdf0232 p.21
Mitchel T. Denham	Assistant Deputy AG — lead OAG litigator in the later years; defended the Sackler deposition; tendered the proposed SJ order.	hmdf0232 p.2; Dep. p.3; trcf0232 p.31
Tyler S. Thompson (with Anthony Ellis)	Outside counsel, Louisville — examined Richard Sackler for ten hours.	Dep. pp.2–3
Pike County (Gary C. Johnson, P.S.C.)	Co-plaintiff “for itself and for all other Kentucky Counties similarly situated”; later consented to dismissal of certain claims.	hzcf0232 pp.1, 59; hmdf0232 p.2 n.1
Judge Steven D. Combs	Pike Circuit, Div. II — the deemed-admissions orders (Apr. 1 & Sep. 25, 2013) and the abeyance; named respondent in Purdue’s writ (Purdue Pharma L.P. v. Combs).	trcf0232 p.2; qzcf0232 p.1
Judge Johnny Ray Harris	Floyd Circuit, sitting by designation — signed and entered the Dec. 22, 2015 Agreed Judgment (OCR renders “Marris”/“Rike County”).	xpdf0232 pp.1, 3
Judge James P. Jones (W.D. Va.)	Took the 2007 pleas; sentenced Purdue Frederick; in 2013 refused to enjoin this case.	qqcf0232; hmdf0232 pp.2–3, 40
U.S. Attorney John L. Brownlee & team	W.D. Va. prosecutors (Mountcastle, Ramseyer, Burnham; DOJ trial attorneys Wells & Stein) — signed the plea papers and ASOF.	zfd0232 p.15; lhdf0232
Defense counsel	Stites & Harbison (Famularo, Danford, Wells) — Kentucky counsel; Chadbourne & Parke (Strauber, Henneberry) — national; King & Spalding (Varner et al.) — Purdue Frederick; Frost Brown Todd / Venable — Abbott; 2007 individual counsel included Mary Jo White (Udell).	smdf0232 p.8; Dep. pp.2–3; hmdf0232 p.2; zfd0232 p.19

Experts and regulators

Name	Role in the record	Key cites
David B. Graeven, Ph.D.	Defense venue expert (Trial Behavior Consulting): 2,049-interview survey; “the defendants cannot get a fair and impartial trial in Pike County.” His data double-edged: 58% of Pike jurors heard “a lot” about OxyContin problems; 29% know someone who died; 46% call it an “epidemic.”	jpdf0232 pp.3, 5–7
Other-litigation experts in corpus	Mazloomdoost (WV), Schumacher (MDL 2804), Perri (San Francisco), Ruhm & Gibson (Oklahoma damages) — context documents, not Kentucky-case experts.	qgxx0352; klvx0352; jlyh0352; ysxk0282
FDA	Curtis Wright, M.D. (signed NDA 20-553 approval-track letters); Spencer Salis, Pharm.D. (2000 DDMAC letter); Thomas W. Abrams, R.Ph. (2003 Warning Letter).	mgdf0232 pp.31–41; ygdf0232 p.2; jxdf0232 p.7

OCR name variants seen in the corpus

Friedman→“*Frledman*”; *R. Sackler*→“*Dr Richard Sackler at NORWALK*”; *Sackler*→“*Sackier*” (*khdf0232*); *Goldenheim*→“*PaulDGoldenHeim*”/“*Goldenhm*”; *Harris*→“*Marris*”; *Pike*→“*Rike*”; *Denham*→“*Mitchel Denham*”; *Ellis*→“*Anthony Ells*”; *Ramseyer*→“*Ramsyer*”; *White*→“*MaryJowhke*”; *Kaiko*→“*Kalko*”; *Franklin Circuit*→“*FRAKLINCIRCUITCOURT*”; *Innaurato*→“*Innaurafo*”. Any exact-name search of these documents should include the variants.

5 · Proof matrix

The First Amended Complaint pleads thirteen counts (verified against the document: Counts I–XIII at hzcf0232 pp.30–53, prayer at pp.53–58). The matrix maps each count to its supporting evidence — the deemed admissions (RFA texts verified at zndf0232 pp.18–22), the 2007 federal plea record, and the Commonwealth’s proposed SJ order — and to Purdue’s answering material. Two standing cautions apply to every row:

1. The proposed order is advocacy. All “proposed order ¶” cites are to tref0232 — tendered April 2, 2014, never signed or entered (Sections 1 and 7). They state the Commonwealth’s theory with precision; they decide nothing.

2. The deemed admissions were later withdrawn. Under the settlement, “the Deemed Admissions have no effect ... they cannot be used by the Releasors for any purpose” (gdfd0232 p.10 ¶20; effected at xpfd0232 p.2 ¶7). The RFA-based evidence below is the case as it stood from 2013 to 2015 — historically real, contractually neutralized at settlement. The ASOF and the felony conviction, by contrast, were never withdrawn: Purdue agreed it would never “contradict[] any statement of fact set forth in the Agreed Statement of Facts” (npcf0232 p.7).

Count (FAC ¶¶)	Supporting evidence	Undercutting / defenses	Disposition
I · Medicaid FraudKRS 205.8463(4)¶¶73–88	RFA 5 (concealed “the true and actual addictive nature”); RFA 18 (excessive state spend); ASOF ¶20 (“intent to defraud or mislead”); the felony plea itself; FAC ¶79 (\$22M Medicaid OxyContin spend).	Blanket denials in Amended Answers; 38th defense (2007 Consent Judgment) — but that release excepts “Medicaid fraud or Abuse” (fldf0232 p.17 ¶36(b)).	Proposed order ¶34; never ruled. Settled — \$1.5M of first installment is Medicaid “reimbursement and restitution” (gdfd0232 p.7).
II · Money due CommonwealthKRS 15.060 ¶¶89–91	RFAs 17–18 (over-prescription; excessive Treasury spend); proposed order ¶¶37–38 (criminal-justice, health, treatment costs).	Denials; releases.	Proposed order ¶39; never ruled. Settled.
III · False AdvertisingKRS 517.030 ¶¶92–94	2003 FDA Warning Letter (ads “omit and minimize the serious safety risks”); GAO-reported “I Got My Life Back” videos with unsubstantiated <1% addiction claim; RFAs 8, 11; ASOF ¶¶20, 40.	Denials; Purdue’s strongest res judicata overlap — the 2007 release covers consumer-protection claims (fldf0232 p.16 ¶35).	Proposed order ¶50; never ruled. Settled.
IV · Public Nuisance¶¶95–102	RFAs 2–3 (statewide + eastern-Kentucky targeting); ASOF ¶41 (abuse reports by Mar. 2000); proposed order ¶57 statistics (overdose deaths +296%, opiate hospitalizations +278%, 2000–2010).	Denials; third-party-conduct causation arguments; RFAs 21/23 foreclose Commonwealth-fault only.	Proposed order ¶60; never ruled. Settled.
V · Unjust Enrichment¶¶103–110	ASOF ¶6 (\$2.8B revenue 1996–2001); proposed order ¶63 (sales >\$1B in 2001 & 2002; 90% of prescription sales; non-cancer scripts ~670K→6.2M, 1997–2002); RFAs 10, 17–18.	Denials; adequate-remedy defenses.	Proposed order ¶67; never ruled. Settled.
VI · Indemnity¶¶111–118	RFAs 18, 21, 23 (state spend; no contributory fault); proposed order ¶70.	Denials; releases.	Proposed order ¶71; never ruled. Settled (restitution component).
VII · Negligence¶¶119–122	Knowledge + concealment: RFAs 4–6, 8–11, 16, 20; ASOF ¶¶20, 29, 33, 41; comparative fault blocked by RFAs 21, 23–24 (proposed order ¶78).	Denials; learned-intermediary and FDA-approval themes (ASOF ¶18).	Proposed order ¶80; never ruled. Settled.
VIII · AntitrustKRS 367.175 ¶¶123–129	RFA 25 (majority market share 1995–2006, deemed admitted); FAC ¶126 (dominance via deception).	Denials. Note: the 2007 release excepts antitrust claims (¶36(c)) — no preclusion defense here.	Not addressed even in the proposed order. Released by 2015 settlement.
IX · Strict Liability¶¶130–136	Proposed order ¶84 (four findings: dangerous as marketed; reached users unchanged); 2013 Citizen Petition + FDA withdrawal determination, 78 Fed. Reg.	Denials; comment k/unavoidably-unsafe prescription-drug doctrine; FDA approval.	Proposed order ¶85 (misabeled “Count VIII” there); never ruled. Settled.

Count (FAC ¶¶)	Supporting evidence	Undercutting / defenses	Disposition
	23273–75 (original formulation “subject to significant abuse and diversion”); RFAs 1, 4, 16.		
X · Fraud¶¶137–155	ASOF ¶20 (intent), ¶25 (false graph “instead of . . . the actual clinical data”), ¶36 (“I would not write it up at this point”); RFAs 5, 8, 11.	Denials carve-outs limited to “certain . . . sales representatives” (skdf0232 p.23); no-reliance themes.	Proposed order ¶89 (mislabeled “Count IX”); never ruled. Settled.
XI · Conspiracy¶¶156–163	Admitted Co-Promotion Agreement with Abbott; RFAs 1–3 (“acting alone or in concert”).	Abbott: “[a] single entity—such as Purdue—cannot conspire with itself”; its assistance “limited and defined” (mmdf0232 pp.1–2, 5).	Proposed order ¶95; never ruled. Settled (Abbott included in dismissal).
XII · Vicarious Liability¶¶164–167	ASOF ¶¶20, 25–27, 34 (supervisors’/employees’ conduct); writ-argument concession that “Purdue knew that what its sales people did was wrong” (proposed order ¶100).	ASOF ¶46 — executives disclaimed personal knowledge of all facts.	Proposed order ¶102; never ruled. Settled.
XIII · Punitive Damages¶¶168–169	ASOF ¶20 intent; the Warning Letter’s “especially egregious and alarming” (jxdf0232 p.2).	No-admission clauses (fldf0232 ¶37; gfd0232 ¶19); Graeven venue data recast as due-process argument (54% of aware Pike jurors “angry”).	Damages never reached. Extinguished by dismissal with prejudice.

Labeling note: the proposed order’s internal count labels drift from the complaint’s — it calls strict liability “Count VIII” and fraud “Count IX” (the complaint’s IX and X), and it never addresses the complaint’s actual Count VIII (antitrust) or Count XIII (punitives).

6 · Contradiction check

Twelve pairs: a sworn or official statement set beside a contemporaneous document from the same record. Both ends of every pair were re-verified verbatim against the source pages; the tension line states only what each side says. Where an underlying exhibit survives in the corpus only as a verbatim reading in the deposition record, the citation says so.

Pair 1 — When did he first learn of abuse?

Testimony (2015): “Q. When did you first become aware that OxyContin was being diverted or being abused? A. In the winter – to the best of my recollection, winter of 2000.” And of the November 1999 field warning: “Q. Were you aware that that was a concer[n] in November of 1999? A. No.”

Sackler Dep. 279 (p.70)

Field email, Nov. 30, 1999 (Ex. 35, read into the record): “Many physicians now think OxyContin is obviously the street drug all the drug addicts are seeking. Issues like purposely crushing the 40 miligram [sic] and 80 millgrams [sic] tabs to ‘get high’ have been expressed... people are finding ways to extract the Oxycodone from the tablet and are using a cotton ball to filter the talc as they draw it up in a syringe for ‘main lining.’”

Sackler Dep. 278–279 (p.70)

The testimony dates first awareness to early 2000; a Purdue salesperson’s email described crushing, street demand, and syringe extraction one month before that window opens.

Pair 2 — Was the marketing aggressive?

Testimony: “Q. Do you believe Purdue’s marketing was overly aggressive? A. No.”

Sackler Dep. 217 (p.55)

Purdue Budget Plans, 1999 and 2001: “In 1999, OxyContin Tablets will be more aggressively promoted for use in the non-malignant pain market.” — “In 2001 OxyContin Tablets will continue to be aggressively promoted for use in the non-malignant pain market.”

mxlh0228 p.22; yxlh0228 p.14

“Aggressively promoted” is Purdue’s own planning language, in consecutive budget cycles.

Pair 3 — Was the marketing appropriate?

Testimony: “Q. Do you believe Purdue’s marketing was appropriate? A. I belleve s0. [sic]”

Sackler Dep. 217 (p.55)

FDA Warning Letter, Jan. 17, 2003: “Your jour[n]al advertisements omit and minimize the serious safety risks associated with OxyContin, and promote it for uses beyond which have been proven safe and effective.” ... “Your advertisements thus grossly overstate the safety profile of OxyContin...”

jxdf0232 p.1

The regulator’s contemporaneous assessment of the same marketing, in a Warning Letter to Purdue’s COO.

Pair 4 — Personal involvement

His 2014 declaration, affirmed at deposition: “...you were not directly inv[o]lved with the d[a]y-to-day marketing or promotion of OxyContin... Is that correct? A. That is correct.”

Sackler Dep. 29–30 (p.8)

His own email, May 29, 1999 (Ex. 3): “You won’t believe how committed I am to make OxyContin a huge success. It is almost that I dedicated my life to it. After the initial launch phase, I will have to catch up with my private life again.” — “Did I read that correctly?” “You did.”

frcf0232 p.1; Dep. 31–32 (p.8)

A declaration of arms-length supervision beside a first-person pledge of near-total dedication.

Pair 5 — Did the dinner programs work?

Testimony: “Q. Did you-all ever determine whether the dinners that you were taking the doctors on were helping to sell OxyContin? A. I don’t remember.”

Sackler Dep. 204 (p.51)

His own email, Oct. 23, 1996: “Physicians who attended the dinner programs or the weekend meetings wrote more than double the number of new prescriptions for OxyContin compared to the control group... Weekend meetings had the greatest impact, increasing new prescriptions... by a factor between 2.16 and 2.62.”

rhdf0232 p.1; read verbatim at Dep. 202 (p.51) — “You read it correctly”

The determination he could not remember exists over his own name, with follow-up ROI questions.

Pair 6 — What did physicians believe about potency?

Testimony: “Q. So you think physicians — most physicians knew it was more potent than morphine? A. Yes. They also knew what doses to use.”

Sackler Dep. 247 (p.62)

Agreed Statement of Facts ¶29 (May 1997 conduct): Purdue supervisors “were well aware of the incorrect view held by many physicians that oxycodone was weaker than morphine” and “did not want to do anything ‘to make physicians think that oxycodone was stronger or equal to morphine.’”

zfd0232 p.9

The plea record Purdue may never contradict says the misperception was known, widespread, and deliberately left in place.

Pair 7 — Does OxyContin have an addictive nature?

Purdue’s Amended Answer (2013): “Purdue denies the allegations contained in paragraph 9 of the Complaint that OxyContin has an ‘addictive nature’...”

skdf0232 p.13

Agreed Statement of Facts ¶2 (2007): “OxyContin is a controlled-release form of oxycodone and is a Schedule II controlled substance with an abuse liability similar to morphine.”

zfd0232 p.1

The civil pleading denies what the criminal plea record states — and Purdue covenanted never to contradict the latter (npcf0232 p.7).

Pair 8 — When did he learn how it was marketed?

Testimony: “Q. When did you first become aware that Purdue had marketed and promoted OxyContin as having less abuse potential? A. Not until the investigations were done...”

Sackler Dep. 281–282 (p.71)

Agreed Statement of Facts ¶20: “Beginning on or about December 12, 1995, and continuing until on or about June 30, 2001, certain PURDUE supervisors and employees, with the intent to

defraud or mislead, marketed and promoted OxyContin as less addictive, less subject to abuse and diversion, and less likely to cause tolerance and withdrawal than other pain medications...”

zfd0232 pp.5–6

He was a director throughout, and President for the final eighteen months, of the conduct period the plea describes.

Pair 9 — A “conventional” campaign?

Testimony: “I think this was conventional. Unprecedented perhaps for us, but not unprecedented in the industry... This is how you do it.”

Sackler Dep. 191 (p.48)

His own email, Sep. 3, 1996: “...get an audience for our patent infringement suits so that we are feared as a tiger with claws, teeth and balls and build some excitement with prescribers that OxyContin Tablets is the way to go.”

htcf0232 p.1; read at Dep. 222 (p.56)

“Conventional standard textbook” beside the author’s own stated ambition for the campaign.

Pair 10 — Expansion to non-malignant pain

Testimony: “...there was no [i]nnovation or change [i]n our bringing it to the non-malignant pain market.”

Sackler Dep. 246 (p.62)

Launch Team minutes, Mar. 31, 1995 (Ex. 24): OxyContin “w[ill] expand out of the cancer pain market”; “we do n[o]t want to niche OxyContin just for cancer pain” (OCR degraded); “there is a big non-cancer marketplace for OxyContin.”

sxd0232 p.1

The launch minutes describe the expansion as the plan’s central object, not a continuation of the status quo.

Pair 11 — The 1997 Kaiko warnings

Testimony: “I don’t remember this memo and I don’t remember whether I had read the whole chain carefully or not or even saw it.”

Sackler Dep. 59 (p.15)

Kaiko email, Feb. 27, 1997 (read into the record): “I don’t believe we have a sufficiently strong case to argue that OxyContin has minimal or no abuse liability.” ... “Oxycodone-containing products are still among the most abused opio[i]ds in the U.S.”

Sackler Dep. 57–59 (p.15)

The developer of OxyContin put the abuse problem in writing, inside the company, in 1997.

Pair 12 — Studies never done

Testimony: “Q. Do you know if Purdue ever conducted any studies to determine how long a non-malignant pain patient who’s never had an opioid before would have to be on the drug before they developed dependency or addiction? A. I[’]m not aware of those studies being conducted.”

Sackler Dep. 282 (p.71)

Geneva minutes, May 1996 — faxed to “Dr. Richard Sack[l]er”: Prof. Dayer “considers the following subjects as important and which would need further investigations: – information about the abuse/addiction potential vs other opioids because of the rapid onset of action of OxyContin...”

| khdf0232 pp.1, 3

An outside expert flagged the study as needed in 1996; nineteen years later, the witness knew of none conducted.

7 · Limitations & provenance

This section discloses what the corpus is, how it was processed, and where its weaknesses lie. Nothing here is boilerplate; every item was checked against the index.

Provenance

All 65 documents (2,926 indexed pages) come from the UCSF–Johns Hopkins Opioid Industry Documents Archive — principally its Kentucky Opioid Litigation Documents collection, with launch-era internal documents and related-litigation material from adjacent OIDA collections. Each page carries a burned-in `industrydocuments.ucsf.edu` source footer. A human selected and downloaded every document; each was verified against its archive metadata before ingest; ingest ran locally in four batches on August 5, 2026. One document (a compilation of ProPublica articles) is filed as research and is cited nowhere in this notebook.

The five findings a reader should know

- 1. The summary-judgment “order” was never entered.** `trcf0232`’s only stamp is TENDERED APR 02 2014; its signature and date lines are blank; its page 31 is the Commonwealth’s tender block. The Commonwealth confirmed on November 5, 2015 that the motion “has not been heard” (`xhdf0232` p.1), and an August 20, 2014 order had placed the action in abeyance (`rzcf0232` p.2). The archive’s catalog describes the document as an order granting summary judgment; three independent verification checks confirm it is a proposed order. Liability was never adjudicated in this case.
- 2. The deemed admissions were real, then withdrawn.** From April 2013 to December 2015 all 25 RFAs stood admitted (orders of Apr. 1 and Sep. 25, 2013; writ denied Feb. 28, 2014). The 2015 settlement withdrew them: “the Deemed Admissions have no effect ... cannot be used ... for any purpose” (`gfd0232` p.10 ¶20). Any use of the admissions must carry that caveat; this notebook does so throughout.
- 3. The plea record is the bedrock.** Unlike the admissions, the Agreed Statement of Facts and the felony conviction were never qualified: Purdue covenanted not to “contradict[] any statement of fact set forth in the Agreed Statement of Facts” (`npcf0232` p.7). Where this notebook needed a fact both sworn and durable, it cites the ASOF.
- 4. The 316-page “exhibit compilation” is Oklahoma material.** `ysxk0282`, despite living in the Kentucky collection, is a set of exhibits from *State of Oklahoma v. Purdue* (CJ-2017-816). It is mapped in Section 3 and used only as context.
- 5. The Kathe Sackler deposition is absent.** Her April 1, 2019 MDL deposition is not publicly available; the corpus holds only a 6-page filed excerpt (`ljmw0232`). The deposition record here is therefore Richard Sackler’s alone, and Section 2’s digest should be read with that scope in mind.

Data quality

99.5% of corpus pages (2,912 of 2,926) were read by OCR — the source PDFs carry no native text — so every citation herein rests on OCR-recovered text; 16 of the largest or worst-scanned documents (~2,270 pages) were re-processed under a heavier OCR engine before analysis. Page-continuity was verified for every document over 77 pages: no silently missing pages anywhere (2,703 pages checked page-by-page). Three blank pages inside `mgdf0232` (pp.140, 176, 262) OCR’d empty and are excluded from its page count — resolving an apparent 295-vs-298 page discrepancy with the archive’s metadata; nothing is missing. The corpus is duplicate-free as indexed.

Where OCR is weakest, and how this notebook handled it: (a) the Budget Plans’

promotional-schedule tables shred into fragments — dollar values legible, table structure lost; quotes from those pages are limited to running prose. (b) The condensed 4-up deposition transcript carries character-level noise; every deposition quote used here was verified against a full read of its page, and the transcript’s own word index was used as a cross-check. (c) Small-print footnotes in the Westlaw printout inside zndf0232 are unreliable; nothing was cited from them. Quotations preserve OCR spellings with [sic]; clean renderings are used only where the same words were read into the deposition record and confirmed by the witness.

Residual uncertainties

Item	Status
Exhibit attributions Ex. 3 / Ex. 27	frcf0232 and rhdf0232 matched to deposition exhibits by content; stickers garbled or absent. Ex. 24 (sxd0232) sticker is legible.
kxlh0228 Budget Plan year	Cover page missing; identified as the 1997 plan from internal references.
zndf0232 filing stamp	Pike Circuit stamp OCR-garbled; filed between Feb. 8 and Apr. 1, 2013 (its own text implies ≈ Mar. 29, 2013).
Individual sentencings (Jul. 2007)	The executives’ sentencing details are not in the corpus; only the corporate judgments are (Jul. 25/30, 2007).
Consent Judgment division	The Franklin Circuit caption’s division line is blank on the face of fldf0232; the 2015 settlement refers to it as Division I.
Judge name OCR	The Agreed Judgment’s signing judge renders as “Johnny Ray Marris ... Rike County” — read here as Harris, Pike County, per the fax header “Floyd Circuit Judge” and context.

Method

Corpus ingested and indexed locally by CaseMate; structure mapped; seven parallel extraction passes (chronology, deposition, exhibits, cast, proof matrix, contradictions, quality audit) ran against the index; every quotation and citation intended for this notebook then went through an adversarial verification pass — independent agents instructed to refute each claim against the source pages. That pass corrected four citations, resolved the page-count discrepancy, and reversed one substantive characterization (the proposed SJ order). Documents never left the machine they were ingested on. A companion methodology note states the full pipeline in one page.