

RETURN DATE: FEBRUARY 19, 2019

STATE OF CONNECTICUT,	:	SUPERIOR COURT
<i>Plaintiff,</i>	:	
	:	JUDICIAL DISTRICT
	:	OF HARTFORD
v.	:	
	:	AT HARTFORD
PURDUE PHARMA L.P., PURDUE PHARMA	:	
INC., RICHARD SACKLER, THERESA	:	
SACKLER, KATHE SACKLER, JONATHAN	:	
SACKLER, MORTIMER D.A. SACKLER,	:	
BEVERLY SACKLER, DAVID SACKLER,	:	
ILENE SACKLER LEFCOURT, FRANK PETER	:	
BOER, PAULO COSTA, CECIL PICKETT,	:	
RALPH SNYDERMAN, JUDY LEWENT, JOHN	:	
STEWART and MARK TIMNEY,	:	
<i>Defendants.</i>	:	December 20, 2018

COMPLAINT

I. SUMMARY OF THE CASE

Connecticut, like so much of the country, is in the grip of an opioid epidemic that stems directly from Purdue Pharma's unlawful business practices. Opioid overdoses kill on average two Connecticut residents *each day*.

Traditionally, doctors prescribed opioid drugs like morphine only for acute, end-of-life pain management. When Purdue Pharma Inc. and Purdue Pharma L.P. ("Purdue") developed opioid drugs like OxyContin, however, it saw an opportunity to reap huge profits. With scientific precision it designed, financed and waged a campaign, both pervasive and targeted, to mislead doctors and patients into believing that the new drugs were now safe to treat even minor pain. In truth, Purdue's opioids remain so potent that they inevitably overcome the will of many users, leading to addiction, overdose and death.

Plaintiff, State of Connecticut, by George Jepsen, Attorney General, State of Connecticut, brings this action against the Defendants, Purdue Pharma Inc., Purdue Pharma L.P., and their directors and executives directly involved in unfair and deceptive business practices from June of 2007 to the present (the "Relevant Period"), pursuant to the Connecticut Unfair Trade Practices Act ("CUTPA"), chapter 735 of the General Statutes.

II. JURISDICTION

1. This action is brought by George Jepsen, Attorney General of the State of Connecticut (the "Attorney General"), at the request of Michelle Seagull, Commissioner of Consumer Protection, pursuant to CUTPA, and more specifically, General Statutes § 42-110m.

2. This Court has jurisdiction over the Defendants pursuant to CUTPA because the Defendants have transacted business within the State of Connecticut at all times relevant to this Complaint.

III. THE PARTIES

3. Plaintiff is the State of Connecticut (the "State"), by George Jepsen, Attorney General.

4. Defendant Purdue Pharma Inc. is a drug company incorporated in New York with its principal place of business in Connecticut. Since the 1990s, its official purpose has been manufacturing, sales, distribution, and research and development with respect to pharmaceutical, toiletry, chemical and cosmetic products, directly or as the general partner of a partnership engaged in those activities. It is the general partner of Defendant Purdue Pharma L.P.

5. Defendant Purdue Pharma L.P. is a limited partnership established in Delaware with its principal place of business in Connecticut. It is controlled by Defendant Purdue Pharma Inc.

6. The 16 individual Defendants led the unfair and deceptive business practices at Defendants Purdue Pharma Inc. and Purdue Pharma L.P.

7. Defendants Richard Sackler, Jonathan Sackler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, Beverly Sackler, and Theresa Sackler have been members of the board of Purdue Pharma Inc. since the 1990s. Defendant David Sackler joined them in 2012.

8. Defendants Cecil Pickett, Paulo Costa, Ralph Snyderman, and Frank Peter Boer also hold seats on the board. Pickett joined the board in 2012. Costa and Snyderman joined in 2012. Boer joined in 2013. Judy Lewent was on the board at least from 2009 to 2014.

9. Defendant John Stewart was Chief Executive Officer ("CEO") from 2007 to 2014. Defendant Mark Timney was CEO from 2014 to June 2017.

10. Upon information and belief: Defendants Beverly Sackler, Kathe Sackler, Jonathan Sackler, Paulo Costa, and Mark Timney reside in Connecticut. Defendants Mortimer D.A. Sackler, David Sackler, and Ilene Sackler Lefcourt reside in New York. Defendants Judy Lewent and Cecil Pickett reside in New Jersey. Defendants Frank Peter Boer and John Stewart reside in Florida. Defendant Richard Sackler resides in Texas. Defendant Ralph Snyderman resides in North Carolina. Defendant Theresa Sackler resides in the United Kingdom.

IV. BACKGROUND

A. OPIOIDS, ADDICTION AND DEATH

11. Opioids are dangerous narcotics that can be deadly, causing patients to stop breathing and suffocate.

12. Opioids are also highly addictive. Over 70 percent of those who become opioid dependent begin with prescription pain medications. Americans consume over 90 percent of the world's pharmaceutical opioids. Patients using opioids for more than a few days can experience

severe withdrawal symptoms, including anxiety, insomnia, pain, blurry vision, rapid heartbeat, chills, panic attacks, nausea, vomiting, and tremors. Opioid withdrawal symptoms can last up to one month. The first phase (acute withdrawal) begins about twelve hours after the last opioid use, peaks at around three to five days, and can go on for up to four weeks. Withdrawal can last so long and be so painful that it is difficult to stop taking opioids. In addition, opioids act on the brain and body in ways other than withdrawal that create addiction and maintain addiction.

13. Patients who take prescription opioids for longer periods of time or in higher dosages increase their risk of opioid use disorder (addiction), overdose, and death.

14. Because of the inherent risks of taking opioids, physicians traditionally reserved opioids for treating short-term severe pain, or for patients near the end of life.

15. As early as 2006, and continuing to the present, numerous peer-reviewed studies conducted by independent researchers had and have concluded that: (1) "[f]or functional outcomes, ...other [non-addictive] analgesics were significantly more effective than were opioids;" (2) increasing duration of opioid use is strongly associated with an increasing prevalence of mental health conditions (depression, anxiety, post-traumatic stress disorder, or substance abuse), increased psychological distress, and greater healthcare utilization; and (3) "opioids may work acceptably well for a while, but over the long term, function generally declines, as does general health, mental health, and social functioning. Over time, even high doses of potent opioids often fail to control pain, and these patients are unable to function normally."

B. PURDUE'S OPIOID DRUGS

16. Purdue introduced its opioid drug, OxyContin, in 1996. OxyContin's sole active ingredient is oxycodone, a molecule nearly identical to heroin, an illegal and highly addictive drug.

17. Purdue later introduced another dangerous drug, Butrans, which releases opioids into the body from a skin patch.

18. Then Purdue introduced Hysingla, which contains yet another opioid.

C. THE SCHEME TO SELL MASSIVE QUANTITIES OF PURDUE'S OPIOID DRUGS

19. To sell massive amounts of its opioids, the Defendants designed, financed and waged a campaign, both pervasive and targeted, to mislead doctors and patients into believing that its opioid drugs were safe to treat even minor pain. The following conduct all took place during the Relevant Period.

20. First, the Defendants misinformed patients and doctors to get more and more people on Purdue's dangerous drugs. Second, the Defendants misled doctors into prescribing and patients into taking higher and more dangerous doses. Third, the Defendants convinced doctors to prescribe longer duration opioid prescriptions and patients to stay on Purdue's drugs for longer and more harmful periods of time.

21. All the while, the Defendants peddled falsehoods to keep patients away from safer alternatives. Even when the Defendants knew people were addicted and dying, they treated the patients and their doctors as “targets” to sell more drugs.

22. Each part of the scheme earned the Defendants more money and caused more addiction and death. And each Defendant participated in and profited from the scheme.

THE GROUND GAME

23. The Defendants sent sales representatives to push Purdue's opioids in Connecticut doctors' offices, clinics, pharmacies, and hospitals, deceiving doctors and patients about the risk of addiction and death.

24. Purdue sales representatives frequently visited some Connecticut doctors. The Defendants rewarded high-prescribing doctors with attention, meals, gifts, and money.

25. Purdue sales representatives misrepresented key facts about the safety of its opioids - in particular, the risk of addiction. Among other things, Purdue sales representatives:

- falsely told health care providers that OxyContin had a less euphoric effect, and less abuse potential, than short-acting opioids;
- falsely told prescribers that OxyContin-the first "extended-release," a/k/a "long-acting" ("ER/LA") opioid-had fewer "peak and trough" effects than short-acting opioids, also known as immediate release opioids; and
- falsely told prescribers that OxyContin was more difficult to abuse intravenously than generic oxycodone.

26. The Defendants trained Purdue's sales representatives that increasing a patient's dose was a key move when making sales. For patients, taking higher doses of opioids increases the risk of addiction and death, but for the Defendants, higher doses mean higher profits.

27. The Defendants encouraged Connecticut doctors to prescribe high doses and did not tell doctors that higher doses carry heightened risk of addiction, overdose and death.

28. The Defendants also gave Purdue salespeople explicit instructions to convince prescribers to extend average treatment duration.

29. From the top, Purdue's leaders pushed employees to get more patients on opioids, at higher doses, for longer periods of time. The Defendants awarded bonuses and prizes to sales representatives who generated the most opioid prescriptions.

MEDICAL PUBLICATIONS, MARKETING MATERIALS AND PRESENTATIONS

30. Also as part of their opioids campaign, the Defendants distributed marketing ma-

terials in Connecticut and funded and distributed publications that misrepresented the addictive nature of prescription opioids. The Defendants collaborated with professional associations and pain advocacy organizations, such as the American Pain Foundation, to develop and disseminate pro-opioid educational materials and guidelines for prescribing opioids. These materials and guidelines were not supported by scientific evidence, but the Defendants did not disclose that fact.

31. Among other things, the Defendants' materials and publications admonished doctors that under-treatment of pain is a serious problem and that pain should be treated aggressively with opioids. The Defendants did not disclose that that claim lacked any scientific evidence.

32. The Defendants also falsely stated and implied that “appropriate” patients would not get addicted to prescription opioids.

33. The Defendants urged doctors to prescribe higher doses, inaccurately stating that opioids are frequently under-dosed, or even withheld due to a widespread lack of information about their use among healthcare professionals.

34. The Defendants also urged doctors to increase the dosage of patients who showed signs of addiction to Purdue’s opioids, suggesting, without disclosing the absence of any valid scientific evidence, that patients who appear to be addicted were instead receiving an inadequate dose and needed more drugs. The Defendants falsely told doctors that the greatest risk of addiction was giving patients too little of its addictive drugs.

35. To convince doctors to increase the dose for addicted patients, the Defendants peddled the false notion that patients suffered from “pseudoaddiction.”

36. The Defendants falsely assured doctors that the traditional concern about addiction was wrong — that patients instead suffer from pseudoaddiction caused by inadequate doses

of prescription opioids.

37. The Defendants misled doctors into keeping patients on opioids for longer and longer periods of time. To extend average treatment duration, the Defendants falsely claimed that patients' becoming dependent on its drugs was not dangerous or deadly, but normal. The Defendants taught doctors to recognize that tolerance and physical dependence are normal consequences of sustained use of opioid analgesics and are not the same as addiction. They did not disclose that they lacked any valid supporting scientific evidence. The Defendants falsely claimed that physical dependence on its opioids was a normal physiologic response and an expected occurrence, no more dangerous than responses to many classes of medications that are not addictive, including drugs used to treat high blood pressure.

38. The Defendants also peddled a series of falsehoods to push patients away from safer drugs and toward its opioids.

39. The Defendants had no valid scientific justification to steer patients away from safer alternatives, but they did not disclose that they lacked any such justification.

40. The Defendants misleadingly compared the risks of high doses of acetaminophen (Tylenol) and NSAIDs (non-steroidal anti-inflammatory drugs, such as aspirin and ibuprofen) with its claim that opioids have "no ceiling dose," to falsely contend that opioids were safer – even though high doses of opioids pose grave risk of addiction and death.

41. Just as the Defendants steered patients away from NSAIDs and acetaminophen, they also misled patients and doctors by claiming that Purdue's high-dose, extended-release opioids were superior to lower-dose, immediate-release opioids that had been used for decades before the epidemic.

42. In fact, Purdue's ER/LA opioids are extraordinarily dangerous. The CDC found

based on published research that there is “a higher risk for overdose among patients initiating treatment with ER/LA opioids than among those initiating treatment with immediate-release opioids.” The CDC “did not find evidence that continuous, time-scheduled use of ER/LA opioids is more effective or safer than intermittent use of immediate-release opioids or that time-scheduled use of ER/LA opioids reduces risks for opioid misuse or addiction.”

43. Nonetheless, the Defendants falsely claimed that Purdue's opioids provided more effective pain relief than traditional immediate-release opioids.

44. The Defendants also steered patients away from safer alternatives with the false claim that its opioids had less risk of abuse. As more people died of addiction and overdose, the Defendants created tamper-resistant versions of Purdue's drugs to be harder to crush. The FDA found that the changes had “no effect” on the most common way that Purdue’s pills were taken and abused — by swallowing them. Notwithstanding, the Defendants marketed OxyContin and Hysingla in a manner falsely implying they are effective to stop abuse — and even to prevent addiction.

45. The Defendants also paid for and promoted articles that falsely stated or implied that its tamper-resistant drugs were safe.

46. The Defendants' efforts were successful at convincing doctors of the falsehood that Purdue’s high-dose, extended-release opioids were less addictive than the lower-dose, immediate-release opioids that had been used for decades before the epidemic.

A SUCCESS STORY FOR PURDUE

47. For the Defendants, the opioids campaign was an overwhelming success. In Connecticut alone Purdue has sold millions of doses of opioids since 2007.

48. The Defendants' successful opioids campaign generated a revenue windfall. Re-

cent estimates indicate Purdue has sales revenues of more than \$3 billion each year, mostly from sales of OxyContin.

A CRISIS FOR CONNECTICUT AND THE NATION

49. Purdue's profits came at a terrible human cost. Compared to the general population, a patient who receives three months of prescribed opioids is thirty times more likely to overdose and die within five years. A patient who stays on prescription opioids for six to eleven months is forty-six times more likely to die from an overdose within five years. And a patient who stays on prescription opioids for a year is fifty-one times more likely to die from an overdose within five years.

50. By getting patients addicted, the Defendants greatly increased the patients' risk of harm from many drugs in the opioid class — including, heroin, fentanyl, and generic oxycodone — which share the same addictive chemistry as Purdue opioids.

51. CDC statistics show that people addicted to prescription opioids are forty times more likely than the general population also to be addicted to heroin. The same CDC report shows that nearly half (45 percent) of people who used heroin also were addicted to prescription opioid painkillers.

52. Prescription opioids account for approximately 70 percent of fatal prescription drug overdoses.

53. From 2013 through 2016, Connecticut experienced more than fourfold increase in mortality from prescription opioid overdose – from 5.7 deaths to 24.5 deaths per 100,000 persons.

54. In Connecticut, opioid overprescribing and misuse are draining the health care system. Connecticut's healthcare spending related to the opioid crisis was \$493.01 million in

2016. Connecticut consumers – individuals, employers and private insurers – have paid millions for opioid prescriptions. Healthcare costs for persons addicted to opioids are much higher than healthcare costs for the general population. In 2014, opioid addicts' annual private healthcare costs exceeded non-addicts' private health care costs by over \$14,000. The annual cost of treating opioid addiction and overdose has increased by more than eight-fold since 2004, from \$0.3 billion dollars to \$2.6 billion in 2016.

55. The prevalence of opioids in Connecticut also places a greater burden on law enforcement – increased costs associated with investigating and prosecuting crimes related to opioid use and abuse, as well as increased costs for treating incarcerated residents for opioid addiction. The cost to Connecticut for criminal justice related to the opioid crisis in 2016 was \$144.72 million.

56. In 2016, the economic cost of the opioid epidemic in Connecticut was over \$10.27 billion.

B. LIABILITY OF THE DEFENDANTS PURDUE PHARMA INC. AND PURDUE PHARMA L.P.

57. Defendant Purdue Pharma Inc. and Defendant Purdue Pharma L.P. acted together in all of the misconduct alleged in this Complaint.

58. Defendant Purdue Pharma Inc. controlled Defendant Purdue Pharma L.P. as its general partner and is liable for the misconduct of the partnership as a matter of law. The directors and CEO of Purdue Pharma Inc. controlled Purdue Pharma L.P. Indeed, the CEO of the two companies was the same.

59. According to official corporate documents, Defendant Purdue Pharma Inc.'s purpose is manufacturing, sales, distribution, and research and development with respect to pharmaceutical, toiletry, chemical and cosmetic products, directly or as the general partner of a partner-

ship engaged in those activities. That is the conduct at issue in this suit.

60. Defendant Purdue Pharma Inc. is also the general partner of Purdue Holdings L.P., which holds the limited partnership interest in Defendant Purdue Pharma L.P.

61. Defendant Purdue Pharma L.P. employed the sales representatives and paid the doctors to promote Purdue's drugs.

62. Defendant Purdue Pharma Inc. and Defendant Purdue Pharma L.P. share and shared the same CEO and many of the same officers at various times.

C. LIABILITY OF THE INDIVIDUAL DEFENDANTS

63. Purdue's directors and CEOs named as defendants in this Complaint had oversight and control over the unlawful sales and marketing conduct at issue in this Complaint, and they are personally liable for the misconduct because: (a) they knowingly or recklessly engaged in it; and (b) their actions or inactions, while in positions of responsibility allowing them to make the Purdue policies and control the activities at issue in this Complaint, facilitated the misconduct.

64. The Defendants' deadly misconduct has been directed and encouraged by the people at the top of both Defendants Purdue Pharma Inc. and Purdue Pharma L.P. — the CEOs of the two companies and directors, the individual defendants in this action. A small group of people controlled Purdue and got extraordinarily rich from it. With their position of authority came the obligation to act responsibly. The directors and CEOs that are defendants in this action disregarded their obligation and instead directed Purdue's massive and deadly deception.

65. The directors and CEOs that are defendants in this action control Purdue and run the companies as their personal enterprise. They are intimately involved in Purdue's business affairs and made the policies that guided the misconduct at issue in this Complaint.

66. Up until 2017, Richard Sackler, Jonathan Sackler, Beverly Sackler, Theresa Sack-

ler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, and David Sackler held seats on the Board of Directors of Purdue Pharma Inc. Their family owns the company. Richard, Jonathan, Beverly, Theresa, Mortimer D.A., Kathe, and Ilene have been on the board since the 1990s. Hereinafter, the individuals named in this paragraph are referred to as "the Director Defendants."

67. Recent estimates indicate Purdue has sales revenues of more than \$3 billion each year, mostly from sales of OxyContin.

68. John Stewart was CEO of both Purdue companies from June 2007 to January 2014. Mark Timney was CEO from January 2014 to June 2017. Hereinafter they are referred to as "the CEO Defendants."

69. The Director Defendants and CEO Defendants are liable for Purdue's deadly deception for reasons that go beyond their controlling positions in the companies and roles in making Purdue's policies with respect to marketing of opioids. They were on notice of Purdue's problems, and obligated to address them, because of their role in previous investigations into Purdue's deception.

70. From 2001 to 2007, Purdue Pharma Inc. and Purdue Pharma L.P. were investigated by 26 states and the United States Department of Justice.

71. In 2007, the directors of Purdue Pharma, Inc. decided that the Purdue Frederick Company would pay nearly \$700 million in criminal fines and plead guilty to a felony crime for misleading doctors and patients about opioids. (The Purdue Frederick Company was entirely controlled by Purdue Pharma, Inc.). The company admitted that its 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.”

72. The 2007 criminal convictions served as a warning to all current and future directors, including the Director Defendants, that deception would be subject to prosecution. Michael Friedman — the CEO of Purdue Pharma Inc., Purdue Pharma L.P., and The Purdue Frederick Company — pleaded guilty to criminal charges that he let Purdue deceive doctors and patients about its opioids. Purdue’s top lawyer Howard Udell and Purdue’s chief medical officer Paul Goldenheim also pleaded guilty to that same crime.

73. Purdue agreed to a Stipulated Judgment in a suit brought by the State of Connecticut in this Court. That Judgment ordered that Purdue Pharma Inc. and Purdue Pharma L.P. “shall not make any written or oral claim that is false, misleading, or deceptive” in the promotion or marketing of OxyContin. The Judgment further required that Purdue Pharma Inc. and Purdue Pharma L.P. provide “fair balance” regarding risks and benefits in all promotion of OxyContin — including about the risk of addiction. The Judgment also required that Purdue Pharma Inc. and Purdue Pharma L.P. establish, implement, and follow an abuse and diversion detection program to identify high-prescribing doctors who show signs of inappropriate prescribing, stop promoting drugs to them, and report them to the authorities. Purdue agreed to that commitment for a ten-year period, from 2007 until 2017.

74. Purdue Pharma L.P. also agreed to a detailed Corporate Integrity Agreement with the United States government. The Agreement required Purdue Pharma L.P. to appoint a Compliance Officer who would “be a member of senior management of Purdue,” “make periodic (at least quarterly) reports regarding compliance matters directly to the Board of Directors,” and “be authorized to report on such matters to the Board of Directors at any time.” The Corporate Integrity Agreement was built on the idea that the directors would ensure that Purdue never deceived

doctors and patients again.

75. The Corporate Integrity Agreement included all "owners, officers, directors, and employees" of Defendant Purdue Pharma L.P. as "Covered Persons," including all defendants serving in those capacities from 2007 through 2012. All Covered Persons were required to comply with rules that prohibit deception about Purdue opioids. The directors and CEO were required to undergo hours of training to ensure that they understood the rules. The directors and CEO were required to report all violations of the rules. The directors and CEO were warned that they could face consequences if they failed to comply with the rules. The directors and CEO certified that they had read and understood the rules and would comply with them.

76. The Director Defendants were acutely aware of their obligations under the Corporate Integrity Agreement because, in 2009, Defendant Purdue Pharma L.P. had to report to the Inspector General of the United States Department of Health and Human Services that it had not immediately trained a new director on the Agreement. Defendant Purdue Pharma L.P. reported that "a new Director was appointed to Purdue's Board of Directors, without timely notice to either Corporate Compliance or the Office of General Counsel, as otherwise required by policy, resulting in failure to timely launch the training assignment to this new Board member." Defendant Purdue Pharma L.P. assured the United States government that it had trained the new director, stating that, "[r]elevant personnel were reminded of existing policy to notify Corporate Compliance and the Office of General Counsel of changes to the Board of Directors. In both instances, these individuals completed their training assignments within 1 day of Corporate Compliance learning of this issue." Defendant Purdue Pharma L.P. promised the government that the director's training had addressed "the proper methods of promoting, marketing, selling, and disseminating information about Purdue's products," so Defendant Purdue Pharma L.P. would nev-

er deceive doctors and patients again.

77. Since the 2007 guilty plea, Stipulated Judgment, and Corporate Integrity Agreement, the defendants received numerous warning signs about Purdue's ongoing misconduct and opportunities to stop it.

78. In 2009, the Centers for Disease Control and Prevention ("CDC") reported that deaths from opioids had tripled between 1999 and 2006.

79. In 2010, *Time* magazine published a story about Purdue's opioids entitled, "The New Drug Crisis: Addiction by Prescription."

80. In 2011, the White House announced that prescription drug abuse was the nation's fastest-growing drug problem and called for "educating healthcare providers about prescription drug abuse... so they will not over-prescribe[.]" The CDC announced that prescription opioid overdoses had reached epidemic levels. That same year, *Fortune* magazine interviewed Purdue executives, including Alan Must, now a Vice President of Purdue Pharma Inc. *Fortune* magazine published a story about Purdue, the Sackler family, and evidence that the company made money off addiction. Mr. Must, the Purdue Vice President, admitted that the company was "well aware" of concerns about its conduct.

81. In 2012, the United States Senate launched an investigation into whether Purdue was deceiving doctors and patients about opioids. In a letter to the CEO of Purdue Pharma Inc. and Purdue Pharma L.P., the Senators warned of "an epidemic of accidental deaths and addiction resulting from the increased sale and use of powerful narcotic painkillers." The Senate letter also addressed the danger of patients taking higher doses, citing a New York Times report based on federal data which showed that "over the last decade, the number of prescriptions for the strongest opioids has increased nearly fourfold, with only limited evidence of their long-term effective-

ness or risks' while '[d]ata suggest that hundreds of thousands of patients nationwide may be on potentially dangerous doses.'" The Senate letter also warned about Purdue misleading doctors and patients, stating that "[t]here is growing evidence pharmaceutical companies that manufacture and market opioids may be responsible, at least in part, for this epidemic by promoting misleading information about the drugs' safety and effectiveness." The Senate even put the directors and CEO on notice that they specifically were under scrutiny, demanding that Purdue produce to investigators a set of "presentations, reports, and communications to Purdue's management team or board of directors from 2007 to the present...."

82. In 2013, the *Los Angeles Times* revealed that Purdue had been compiling a list for the past decade of 1,800 doctors suspected of recklessly prescribing its opioids, but Purdue had reported only 8 percent of them to authorities.

83. In 2015, Purdue entered into an agreement with the State of New York to resolve an investigation of its opioid business. The agreement recited New York's findings that Purdue used misleading materials to promote its opioids and aggressively promoted its opioids to high-prescribing doctors who were later arrested for illegal prescribing.

84. In 2016, the CDC published the *CDC Guideline for Prescribing Opioids for Chronic Pain* to try to stop dangerous opioid prescribing.

85. In 2017, the President of the United States declared the opioid crisis a national public health emergency.

86. The CEO Defendants and Director Defendants knew or should have known about these warnings and many others. Indeed, the 2007 Stipulated Judgment required Purdue Pharma L.P. and Purdue Pharma Inc. to "continue to review news media stories addressing the abuse or diversion of OxyContin and undertake appropriate measures as reasonable under the circum-

stances to address abuse and diversion so identified....” The Director Defendants and CEO Defendants in fact received numerous warnings that Purdue’s drugs caused addiction and death.

87. The Director Defendants and CEO Defendants knew about, allowed, and directed Purdue’s deception. They made the policies that guided Purdue’s scheme to send sales representatives to visit doctors thousands of times to encourage inappropriate prescribing of Purdue’s opioids. They oversaw Purdue’s effort to get more patients on higher doses of opioids for longer periods. They had the power to stop the deception, and they failed to exercise that power.

88. The Director Defendants and CEO Defendants oversaw Purdue’s sales representatives. They tracked the exact number of sales representatives and the exact number of visits they made to urge doctors to prescribe Purdue opioids. They knew which drugs were promoted, how many visits sales representatives averaged per workday, how much each visit cost Purdue and the company’s plan for sales visits in each upcoming quarter. The Director Defendants approved specific plans to hire new sales representatives, hire and promote new District and Regional managers.

89. The Director Defendants and CEO Defendants oversaw the tactics that sales representatives used to push opioids, promotional claims made by Purdue sales representatives, and Purdue’s research, including research that contradicted its marketing, but which it did not publicize. The Director Defendants and CEO Defendants knew or willfully chose to avoid knowing that Purdue’s sales efforts would greatly increase patients’ risks of addiction and death.

90. The Director Defendants and the CEO Defendants oversaw Purdue’s improper response to signs of “abuse and diversion” by high-prescribing doctors, and to signs that patients were being harmed.

91. The Director Defendants and CEO Defendants even monitored sales representa-

tives' emails. Purdue held thousands of face-to-face sales meetings with doctors, but the company prohibited its sales representatives from writing emails to doctors to encourage them to prescribe Purdue's opioids, which could create evidence of Purdue's misconduct. When Purdue found that some sales representatives had emailed doctors, upon information and belief, the company conducted an investigation and reported to the Director Defendants that sales representatives had been disciplined and that their emails would be discussed at the board meeting.

92. Defendants Richard Sackler, Jonathan Sackler, David Sackler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, Frank Peter Boer, Paulo Costa, Cecil Pickett, Ralph Snyderman, Judy Lewent, John Stewart and Mark Timney were made well aware of Purdue's deadly misconduct. Selling opioids was part of Purdue's business, and they, as CEOs and board members, oversaw the sales and marketing activities at issue. They had the authority to stop the deadly misconduct, and they failed to stop it.

93. John Stewart replaced outgoing CEO Friedman in 2007. Stewart oversaw Purdue's strategy to drive patients to higher doses and longer periods on Purdue drugs in order to keep the total kilograms of opioids within Purdue forecasts. Stewart also oversaw the sales tactics designed to overcome doctors' concerns that increasing length and dose would cause more patients to get addicted and die.

94. Starting in 2014, after public health experts tried to save patients' lives by warning against high doses of opioids, Purdue made specific efforts to counter those warnings.

V. CAUSES OF ACTION

A. **FIRST COUNT: VIOLATION OF THE CONNECTICUT UNFAIR TRADE PRACTICES ACT (GENERAL STATUTES § 42-110A, ET SEQ.) DECEPTION COMMITTED BY PURDUE PHARMA INC. AND PURDUE PHARMA L.P.**

1-94. Paragraphs 1 through 94 of the Complaint are hereby repeated and realleged as Paragraphs 1 through 94 of this First Count as if fully set forth herein.

95. Throughout the Relevant Period, Defendants Purdue Pharma Inc. and Purdue Pharma L.P.'s course of conduct, as alleged herein, has been undertaken in the conduct of trade or commerce, as defined in General Statutes § 42-110a(4).

96. Defendants Purdue Pharma Inc. and Purdue Pharma L.P. systematically and continually conduct business throughout the State of Connecticut by marketing, advertising and selling the prescription opioids that are the subject of this lawsuit.

97. In the course of trade or commerce, including the marketing and selling of opioids to consumers in Connecticut, Defendants Purdue Pharma Inc. and Purdue Pharma L.P. made representations regarding the use of opioids for chronic pain that they knew would result in unnecessary and excessive prescriptions for opioids.

98. The representations made by Defendants Purdue Pharma Inc. and Purdue Pharma L.P., both together and separately, or through front groups, regarding the use of opioids for chronic pain were false, and the Defendants did not disclose that they lacked any supporting scientific evidence.

99. Defendants Purdue Pharma Inc. and Purdue Pharma L.P. knew that their representations regarding the use of opioids for chronic pain were false, and they did not disclose that they lacked any supporting scientific evidence.

100. Defendants Purdue Pharma Inc. and Purdue Pharma L.P.'s representations, as described herein, have been and are material, false and likely to mislead and, did mislead prescribers and patients reasonably interpreting the representations, causing the prescribers to prescribe dangerous opioids and patients to take them, or to prescribe or take them for longer periods of time, or in higher doses than they otherwise would have done, putting their lives at risk.

101. By doing the aforesaid acts or practices during the Relevant Period, Defendants Purdue Pharma Inc. and Purdue Pharma L.P. have engaged in unfair or deceptive acts or practices in violation of General Statutes § 42-110b(a).

102. Defendants Purdue Pharma Inc. and Purdue Pharma L.P. knew or should have known that their conduct was unfair under General Statutes § 42-110b, and therefore their conduct was willful under General Statutes § 42-110o.

B. SECOND COUNT: VIOLATION OF THE CONNECTICUT UNFAIR TRADE PRACTICES ACT (GENERAL STATUTES § 42-110A, ET SEQ.) UNFAIRNESS COMMITTED BY PURDUE PHARMA INC. AND PURDUE PHARMA L.P.

1-102. Paragraphs 1 through 102 of the Complaint are hereby repeated and realleged as Paragraphs 1 through 102 of this Second Count as if fully set forth herein.

103. Throughout the Relevant Period, Defendants Purdue Pharma Inc. and Purdue Pharma L.P.'s course of conduct, as alleged herein, has been undertaken in the conduct of trade or commerce, as defined in General Statutes § 42-110a(4).

104. Defendants Purdue Pharma Inc. and Purdue Pharma L.P. systematically and continually conduct business throughout the State of Connecticut by marketing, advertising and selling the prescription opioids that are the subject of this lawsuit.

105. Defendants Purdue Pharma Inc. and Purdue Pharma L.P.'s course of conduct was and is immoral, unethical, oppressive, unscrupulous, and caused and continues to cause substantial injury to the State of Connecticut and Connecticut consumers.

106. Defendants Purdue Pharma Inc. and Purdue Pharma L.P.'s course of wrongful conduct, as alleged herein, offends the State of Connecticut's public policy against public nuisance, as embodied in the common law. Specifically, the Defendants' intentional conduct created a dangerous situation that has directly and proximately caused substantial, unreasonable and continuing injury upon Connecticut residents, interfering with their right to public peace, order, health and safety.

107. Defendants Purdue Pharma Inc. and Purdue Pharma L.P.'s marketing of opioids for chronic pain was immoral, unethical, oppressive and unscrupulous because they placed profits over the health, safety and welfare of their patients. Their marketing preyed on the suffering of chronic pain patients and the doctors who want to alleviate the pain of those patients.

108. Defendants Purdue Pharma Inc. and Purdue Pharma L.P.'s conduct caused substantial injury to consumers, including but not limited to: (a) widespread dissemination of false and misleading information regarding the risks and benefits of opioids to treat chronic pain; (b) a distortion of the medical standard of care for treating chronic pain, resulting in pervasive over-prescribing of opioids and the failure to provide more appropriate pain treatment; (c) high rates of opioid abuse, injury, overdose, and death, and their impact on Connecticut families and communities; (d) increased health care costs for individuals, families, employers, and the State; (e) lost employee productivity resulting from the cumulative effects of long-term opioid use, addiction, and death; (f) the creation and maintenance of a secondary, criminal market for opioids; and

(g) greater demand for emergency services and law enforcement paid for by the State at the ultimate cost of taxpayers.

109. By doing the aforesaid acts or practices during the Relevant Period, Defendants Purdue Pharma Inc. and Purdue Pharma L.P. have engaged in unfair business practices in violation of General Statutes § 42-110b(a).

110. Defendants Purdue Pharma Inc. and Purdue Pharma L.P. knew or should have known that their conduct was unfair under General Statutes § 42-110b, and therefore their conduct was willful under General Statutes § 42-110o.

**C. THIRD COUNT: VIOLATION OF THE CONNECTICUT UNFAIR TRADE PRACTICES ACT (GENERAL STATUTES § 42-110A, ET SEQ.)
DECEPTION COMMITTED BY RICHARD SACKLER, JONATHAN SACKLER, DAVID SACKLER, MORTIMER D.A. SACKLER, KATHE SACKLER, ILENE SACKLER LEFCOURT, BEVERLY SACKLER, THERESA SACKLER, FRANK PETER BOER, PAULO COSTA, CECIL PICKETT, RALPH SNYDERMAN, JUDY LEWENT, JOHN STEWART AND MARK TIMNEY**

1-110. Paragraphs 1 through 110 of the Complaint are hereby repeated and realleged as Paragraphs 1 through 110 of this Third Count as if fully set forth herein.

111. Throughout the Relevant Period, Defendants Richard Sackler, Jonathan Sackler, David Sackler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, Frank Peter Boer, Paulo Costa, Cecil Pickett, Ralph Snyderman, Judy Lewent, John Stewart and Mark Timney's course of conduct, as alleged herein, has been undertaken in the conduct of trade or commerce, as defined in General Statutes § 42-110a(4).

112. Defendants Richard Sackler, Jonathan Sackler, David Sackler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, Frank Peter Boer, Paulo Costa, Cecil Pickett, Ralph Snyderman, Judy Lewent, John Stewart and Mark Timney systematically and continually conduct business or cause it to be conducted throughout the

State of Connecticut by marketing, advertising and selling the prescription opioids that are the subject of this lawsuit.

113. In the course of trade or commerce, including the marketing and selling of opioids to consumers in Connecticut, Defendants Richard Sackler, Jonathan Sackler, David Sackler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, Frank Peter Boer, Paulo Costa, Cecil Pickett, Ralph Snyderman, Judy Lewent, John Stewart and Mark Timney made or caused to be made representations regarding the use of opioids for chronic pain that they knew would result in unnecessary and excessive prescriptions for opioids.

114. The representations made by Defendants Richard Sackler, Jonathan Sackler, David Sackler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, Frank Peter Boer, Paulo Costa, Cecil Pickett, Ralph Snyderman, Judy Lewent, John Stewart and Mark Timney together and separately, or through front groups, regarding the use of opioids for chronic pain were false, and the Defendants did not disclose that they lacked any supporting scientific evidence.

115. Defendants Richard Sackler, Jonathan Sackler, David Sackler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, Frank Peter Boer, Paulo Costa, Cecil Pickett, Ralph Snyderman, Judy Lewent, John Stewart and Mark Timney knew but actively concealed that their representations regarding the use of opioids for chronic pain were false and did not disclose that they were not based on scientific evidence.

116. Defendants Richard Sackler, Jonathan Sackler, David Sackler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, Frank Peter Boer, Paulo Costa, Cecil Pickett, Ralph Snyderman, Judy Lewent, John Stewart and Mark Timney's representations, as described herein, have been and are material, false and likely to mislead

and, did mislead prescribers and patients reasonably interpreting the representations, causing the prescribers to prescribe dangerous opioids and patients to take them, putting their lives at risk.

117. By doing the aforesaid acts or practices during the Relevant Period, Defendants Richard Sackler, Jonathan Sackler, David Sackler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, Frank Peter Boer, Paulo Costa, Cecil Pickett, Ralph Snyderman, Judy Lewent, John Stewart and Mark Timney have engaged in unfair or deceptive acts or practices in violation of General Statutes § 42-110b(a).

118. Defendants Richard Sackler, Jonathan Sackler, David Sackler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, Frank Peter Boer, Paulo Costa, Cecil Pickett, Ralph Snyderman, Judy Lewent, John Stewart and Mark Timney knew or should have known that their conduct was unfair under General Statutes § 42-110b, and therefore their conduct was willful under General Statutes § 42-110o.

D. FOURTH COUNT: VIOLATION OF THE CONNECTICUT UNFAIR TRADE PRACTICES ACT (GENERAL STATUTES § 42-110A, ET SEQ.) UNFAIRNESS COMMITTED BY RICHARD SACKLER, JONATHAN SACKLER, DAVID SACKLER, MORTIMER D.A. SACKLER, KATHE SACKLER, ILENE SACKLER LEFCOURT, BEVERLY SACKLER, THERESA SACKLER, FRANK PETER BOER, PAULO COSTA, CECIL PICKETT, RALPH SNYDERMAN, JUDY LEWENT, JOHN STEWART AND MARK TIMNEY

1-118. Paragraphs 1 through 118 of the Complaint are hereby repeated and realleged as Paragraphs 1 through 118 of this First Count as if fully set forth herein.

119. Throughout the Relevant Period, Defendants Richard Sackler, Jonathan Sackler, David Sackler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, Frank Peter Boer, Paulo Costa, Cecil Pickett, Ralph Snyderman, Judy Lewent, John Stewart and Mark Timney's course of conduct, as alleged herein, has been undertaken in the conduct of trade or commerce, as defined in General Statutes § 42-110a(4).

120. Defendants Richard Sackler, Jonathan Sackler, David Sackler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, Frank Peter Boer, Paulo Costa, Cecil Pickett, Ralph Snyderman, Judy Lewent, John Stewart and Mark Timney systematically and continually conduct business or cause it to be conducted throughout the State of Connecticut by marketing, advertising and selling the prescription opioids that are the subject of this lawsuit.

121. Defendants Richard Sackler, Jonathan Sackler, David Sackler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, Frank Peter Boer, Paulo Costa, Cecil Pickett, Ralph Snyderman, Judy Lewent, John Stewart and Mark Timney's course of conduct was and is immoral, unethical, oppressive, unscrupulous and caused and continues to cause substantial injury to the State of Connecticut and Connecticut consumers.

122. Defendants Richard Sackler, Jonathan Sackler, David Sackler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, Frank Peter Boer, Paulo Costa, Cecil Pickett, Ralph Snyderman, Judy Lewent, John Stewart and Mark Timney's course of wrongful conduct, as alleged herein, violates the State of Connecticut's public policy against public nuisance, as embodied in the common law. Specifically, the Defendants intentional conduct created a dangerous situation that has directly and proximately caused substantial, unreasonable and continuing injury upon Connecticut residents, interfering with their right to public peace, order, health and safety.

123. Defendants Richard Sackler, Jonathan Sackler, David Sackler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, Frank Peter Boer, Paulo Costa, Cecil Pickett, Ralph Snyderman, Judy Lewent, John Stewart and Mark Timney's marketing of opioids for chronic pain was immoral, unethical, oppressive and unscrupulous

because they placed profits over the health, safety and welfare of their patients. Their marketing preyed on the suffering of chronic pain patients and the doctors who want to alleviate the pain of those patients.

124. Defendants Richard Sackler, Jonathan Sackler, David Sackler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, Frank Peter Boer, Paulo Costa, Cecil Pickett, Ralph Snyderman, Judy Lewent, John Stewart and Mark Timney's conduct caused substantial injury to consumers, including but not limited to: (a) widespread dissemination of false and misleading information regarding the risks and benefits of opioids to treat chronic pain; (b) a distortion of the medical standard of care for treating chronic pain, resulting in pervasive overprescribing of opioids and the failure to provide more appropriate pain treatment; (c) high rates of opioid abuse, injury, overdose, and death, and their impact on Connecticut families and communities; (d) increased health care costs for individuals, families, employers, and the State; (e) lost employee productivity resulting from the cumulative effects of long-term opioid use, addiction, and death; (f) the creation and maintenance of a secondary, criminal market for opioids; and (g) greater demand for emergency services and law enforcement paid for by the State at the ultimate cost of taxpayers.

125. By doing the aforesaid acts or practices during the Relevant Period, Defendants Richard Sackler, Jonathan Sackler, David Sackler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, Frank Peter Boer, Paulo Costa, Cecil Pickett, Ralph Snyderman, Judy Lewent, John Stewart and Mark Timney have engaged in unfair or deceptive acts or practices in violation of General Statutes § 42-110b(a).

126. Defendants Richard Sackler, Jonathan Sackler, David Sackler, Mortimer D.A. Sackler, Kathe Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, Frank Peter

Boer, Paulo Costa, Cecil Pickett, Ralph Snyderman, Judy Lewent, John Stewart and Mark Timney knew or should have known that their conduct was unfair under General Statutes § 42-110b, and therefore their conduct was willful under General Statutes § 42-110o.

PRAYER FOR RELIEF

WHEREFORE, the State of Connecticut requests the following relief:

1. A finding that by the acts alleged herein, Defendants engaged in unfair and deceptive acts and practices in the course of engaging in the trade or commerce of pharmaceutical manufacturing and sales within the State of Connecticut in violation of the Connecticut Unfair Trade Practices Act;
2. An injunction pursuant to General Statutes § 42-110m enjoining Defendants from engaging in any acts that violate the Connecticut Unfair Trade Practices Act, including, but not limited to, the unfair and deceptive acts and practices alleged herein;
3. An order pursuant to General Statutes § 42-110m requiring that Defendants submit to an accounting to determine the amount of improper revenue paid to Defendants as a result of its unfair and deceptive acts and practices;
4. An order pursuant to General Statutes § 42-110o directing Defendants to pay a civil penalty of \$5,000 for each and every willful violation of the Connecticut Unfair Trade Practices Act;
5. An order pursuant to General Statutes § 42-110m directing Defendants to pay restitution;
6. An order pursuant to General Statutes § 42-110m directing Defendants to disgorge all revenues, profits, and gains achieved in whole or in part through the unfair acts or practices complained of herein;

7. An order pursuant to General Statutes § 42-110m directing Defendants to pay reasonable attorneys' fees to the State of Connecticut;

8. Costs of suit; and

9. Such other relief as this Court deems just and equitable.

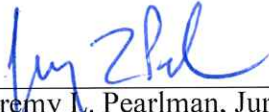
Plaintiff State of Connecticut hereby demands a trial by jury on all issues and causes of action so triable.

Dated at Hartford, Connecticut, this 20th day of December, 2018.

PLAINTIFF
STATE OF CONNECTICUT

GEORGE JEPSEN
ATTORNEY GENERAL

By:



Jeremy L. Pearlman, Juris No. 422390
Assistant Attorney General
Kimberly Massicotte, Juris No. 085172
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STATE OF CONNECTICUT

RETURN DATE: FEBRUARY 19, 2019

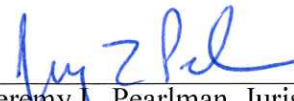
STATE OF CONNECTICUT,	:	SUPERIOR COURT
<i>Plaintiff,</i>	:	
	:	JUDICIAL DISTRICT
	:	OF HARTFORD
v.	:	
	:	AT HARTFORD
PURDUE PHARMA L.P., PURDUE PHARMA	:	
INC., RICHARD SACKLER, THERESA	:	
SACKLER, KATHE SACKLER, JONATHAN	:	
SACKLER, MORTIMER D.A. SACKLER,	:	
BEVERLY SACKLER, DAVID SACKLER,	:	
ILENE SACKLER LEFCOURT, FRANK PETER	:	
BOER, PAULO COSTA, CECIL PICKETT,	:	
RALPH SNYDERMAN, JUDY LEWENT, JOHN	:	
STEWART and MARK TIMNEY,	:	
<i>Defendants.</i>	:	December 20, 2018

AMOUNT IN DEMAND

The amount, legal interest or property in demand is \$15,000.00 or more, exclusive of interest and costs.

PLAINTIFF
STATE OF CONNECTICUT

GEORGE JEPSEN
ATTORNEY GENERAL

By: 

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