

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CIVIL COMPLEX CENTER**

MINUTE ORDER

DATE: 01/26/2018

TIME: 01:30:00 PM

DEPT: CX104

JUDICIAL OFFICER PRESIDING: Kim G. Dunning

CLERK: P. Rief/G. Hernandez

REPORTER/ERM: ACRPT, Pamela Cotten CSR# 4497

BAILIFF/COURT ATTENDANT: Nestor Peraza

CASE NO: **30-2014-00725287-CU-BT-CXC** CASE INIT.DATE: 05/21/2014

CASE TITLE: **The People of the State of California, acting by and through Santa Clara County Counsel Orry P. Korb and Orange County District Attorney Tony Rackauckas vs. Purdue Pharma L.P.**

CASE CATEGORY: Civil - Unlimited

CASE TYPE: Business Tort

EVENT ID/DOCUMENT ID: 72715467

EVENT TYPE: Demurrer to Amended Complaint

MOVING PARTY: Janssen Pharmaceuticals, Inc., Johnson & Johnson, Janssen Pharmaceutica Inc., Ortho-Mcneil-Janssen Pharmaceuticals, Inc.

CAUSAL DOCUMENT/DATE FILED: Appendix of Authorities, 09/08/2017

EVENT ID/DOCUMENT ID: 72715483

EVENT TYPE: Motion to Strike

MOVING PARTY: Endo Pharmaceuticals, Inc., Endo Health Solutions Inc.

CAUSAL DOCUMENT/DATE FILED: Motion to Strike all references in the 4th amended complaint, 09/08/2017

EVENT ID/DOCUMENT ID: 72715484

EVENT TYPE: Status Conference

Additional events listed on last page.

APPEARANCES

Mark P. Robinson, Jr., Esq. and Kevin F. Calcagnie, Esq., from Robinson Calcagnie, Inc., present for Plaintiff(s).

Linda Singer, Esq., from Motley Rice LLC, present for Plaintiff(s).

Joseph D'Agostino, Esq. and Tracy Hughes, Esq., from Orange County District Attorney, present for Plaintiff(s).

Helen Zukin, Esq. and Nicole A. Ramirez, Esq., from Kiesel Law LLP, present for Plaintiff(s).

Laura S. Trice, Esq. and Kavita Narayan, Esq., from Office of the County Counsel of Santa Clara, present for Plaintiff(s).

Charles C. Lifland, Esq., from O'Melveny & Myers LLP, present for Defendant(s).

Timothy W. Knapp, Esq., from Kirkland & Ellis LLP, present for Defendant(s).

Sean Morris, Esq., from Arnold & Porter LLP, present for Defendant(s).

Kevin J. Minnick, Esq., from Skadden Arps Slate Meagher & Flom LLP, present for Defendant(s).
John C. Hueston, Esq. and Moez M. Kaba, Esq., from Hueston Hennigan LLP, present for Defendant(s).
Additional appearances listed on last page.

1. Demurrer of Defendants Purdue Pharma L.P., Purdue Pharma, Inc., and The Purdue Frederick Company, Inc.; Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc. and Janssen Pharmaceutica Inc.; Endo Health Solutions Inc. and Endo Pharmaceuticals Inc.; and Actavis plc, Actavis, Inc. fka Watson Pharmaceuticals, Inc., Actavis LLC, Actavis Pharma, Inc. fka Watson Pharma, Inc. and Watson Laboratories, Inc. to Stay Case on Court's Inherent Authority and Primary Jurisdiction Grounds

2. Joint Demurrer of Defendants Purdue Pharma L.P., Purdue Pharma, Inc., The Purdue Frederick Company, Inc.; Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc. nka Janssen Pharmaceuticals, Inc., Janssen Pharmaceutica Inc. nka Janssen Pharmaceuticals, Inc., Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Allergan plc, fka Actavis plc, and Allergan Finance LLC fka Actavis, Inc. fka Watson Pharmaceuticals, Inc. to Plaintiff's Fourth Amended Complaint for Failure to State a Claim

3. Joint Motion of Defendants to Strike Portions of the Fourth Amended Complaint

4. Motion by Defendants Endo Health Solutions Inc. and Endo Pharmaceuticals Inc. to Strike All References in the Fourth Amended Complaint to the Assurance of Discontinuance

5. Demurrer of Defendants Endo Health Solutions Inc. and Endo Pharmaceuticals Inc. to the Fourth Amended Complaint

6. Demurrer of Defendants Johnson & Johnson and Janssen Pharmaceuticals, Inc. to Plaintiff's Fourth Amended Complaint For Failure to State a Claim

7. Demurrer of Defendants Purdue Pharma L.P., Purdue Pharma, Inc., and The Purdue Frederick Company, Inc. to Plaintiff's Fourth Amended Complaint

8. Motion by Specially Appearing Defendant Allergan plc fka Actavis plc to Quash Service of Summons for Lack of Personal Jurisdiction

9. Demurrer of Specially Appearing Defendant Allergan plc fka Actavis plc and Defendant Allergan Finance, LLC fka Actavis, Inc. fka Watson Pharmaceuticals, Inc. to Plaintiffs' Fourth Amended Complaint

10. Status Conference

Tentative ruling issued by way of a Minute Order dated 01/22/2018 and electronically served on counsel.

The court hears extensive oral argument from counsel.

Allergan's motion to quash is denied.

The Court confirms the tentative ruling as to the motions to strike--the motions to strike are granted

without leave to amend.

Demurrer as to the UCL cause of action is sustained only insofar as the People of the State of California.

Ruling on the demurrers is deferred until all of the exhibits in regard to the requests for judicial notice are submitted in electronic format by the parties. The exhibits are to be submitted to the Court in a USB drive and are to be e-filed on or before 02/02/2018.

The discovery stay is lifted at the request of the parties.

Once counsel have agreed upon a date, they are to contact the clerk in order to set a further Status Conference.

ADDITIONAL EVENTS:

EVENT ID/DOCUMENT ID: 72715470

EVENT TYPE: Demurrer - Other

MOVING PARTY: The Purdue Frederick Company, Inc, Purdue Pharma, Inc., Purdue Pharma L.P.

CAUSAL DOCUMENT/DATE FILED: Demurrer - Other to stay case on court's inherent authority & primary jurisdiction grounds, 09/08/2017

EVENT ID/DOCUMENT ID: 72715469

EVENT TYPE: Demurrer to Amended Complaint

MOVING PARTY: Endo Pharmaceuticals, Inc., The Purdue Frederick Company, Inc, Janssen

Pharmaceuticals, Inc., Purdue Pharma, Inc., Actavis, Inc., Johnson & Johnson, Janssen Pharmaceutica Inc., Purdue Pharma L.P., Ortho-Mcneil-Janssen Pharmaceuticals, Inc., Endo Health Solutions Inc., Actavis, PLC

CAUSAL DOCUMENT/DATE FILED: Demurrer to Amended Complaint, 09/08/2017

EVENT ID/DOCUMENT ID: 72715479

EVENT TYPE: Demurrer to Amended Complaint

MOVING PARTY: Endo Pharmaceuticals, Inc., Endo Health Solutions Inc.

CAUSAL DOCUMENT/DATE FILED: Demurrer to Amended Complaint to 4th Amended, 09/08/2017

EVENT ID/DOCUMENT ID: 72715480

EVENT TYPE: Demurrer to Amended Complaint

MOVING PARTY: Actavis, Inc., Actavis, PLC

CAUSAL DOCUMENT/DATE FILED: Demurrer to Amended Complaint, 09/08/2017

EVENT ID/DOCUMENT ID: 72715482

EVENT TYPE: Motion to Quash Service of Summons

MOVING PARTY: Actavis, Inc., Actavis, PLC

CAUSAL DOCUMENT/DATE FILED: Motion to Quash Subpoena, 09/08/2017

EVENT ID/DOCUMENT ID: 72715476

EVENT TYPE: Demurrer to Amended Complaint

MOVING PARTY: The Purdue Frederick Company, Inc, Purdue Pharma, Inc., Purdue Pharma L.P.

CAUSAL DOCUMENT/DATE FILED: Demurrer to Amended Complaint, 09/08/2017

EVENT ID/DOCUMENT ID: 72715478

EVENT TYPE: Motion to Strike Portions Of Complaint

MOVING PARTY: Endo Pharmaceuticals, Inc., Endo Health Solutions Inc.

CAUSAL DOCUMENT/DATE FILED: Motion to Strike portions of the 4th amended complaint, 09/08/2017

ADDITIONAL APPEARANCES:

Collie F. James, IV, Esq., from Morgan Lewis & Bockius LLP, present for Defendant(s).