

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT DEPARTMENT
BUSINESS LITIGATION SESSION
C.A. NO. 1884-cv-01808-BLS2

COMMONWEALTH OF MASSACHUSETTS,)
)
 v.)
)
 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,)
 PETER BOER, PAULO COSTA, CECIL PICKETT,)
 RALPH SNYDERMAN, JUDITH LEWENT, CRAIG)
 LANDAU, JOHN STEWART, MARK TIMNEY,)
 and RUSSELL J. GASDIA)
)
)

**FORMER DIRECTORS' REPLY IN SUPPORT OF
THEIR SUPPLEMENTAL MOTION TO DISMISS**

In the their memorandum of law served on May 10, 2019, the Commonwealth addressed their opposition to Defendant Russell Gasdia’s Motion to Dismiss; Defendants Craig Landau, John Stewart, and Mark Timney’s Joinder in Defendant Russell Gasdia’s Motion to Dismiss; the Supplemental Memorandum in Support of Former Directors’ Motion To Dismiss; and John Stewart’s Motion to Dismiss on Statute of Limitations Grounds. In so far as Defendants Beverly Sackler, Paulo Costa, Ralph Snyderman, and Judith Lewent (collectively “Former Directors”) ceased to serve as a member of the PPI Board before the Commonwealth filed this action on June 12, 2018 (*see* FAC ¶¶ 49, 499), they join defendant Russell Gasdia’s Reply in Support of his Motion to Dismiss. The Attorney General does not have the authority to sue former directors no longer engaged in or likely to engage in the alleged conduct under G.L.c. 93A § 4. The Attorney

General also does not have the authority to bring claims against the Former Directors to abate or enjoin the current public nuisance alleged in her complaint.

Respectfully submitted,

DEFENDANTS BEVERLY SACKLER, PAULO COSTA, RALPH SNYDERMAN, AND JUDITH LEWENT

By their attorneys,

A handwritten signature in black ink, appearing to read "Robert J. Cordy", is written over a horizontal line.

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Dated: July 12, 2019

CERTIFICATE OF SERVICE

I, Robert J. Cordy, hereby certify that on this 12 day of July, 2019, I served the foregoing document upon all parties by email to:

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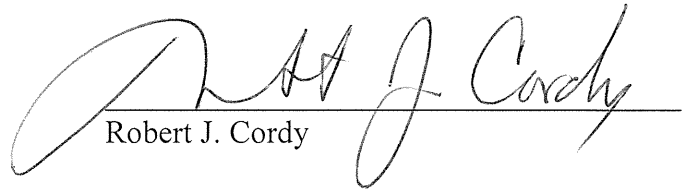
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Dated: July 12, 2019


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