

Appendix
Jurisdictional Allegations Against Defendants Stewart, Timney and Landau

Allegation Against Mr. Stewart	Complaint ¶	Reason(s) Allegation Fails To Establish Long-Arm Jurisdiction Over Mr. Stewart	Declaration ¶
"Received" reports and other materials discussing certain opioid-related developments in Massachusetts and had discussions with others at Purdue about those developments.	¶¶ 605, 611, 615, 616-17, 630, 637, 638, 644, 646-47, 650, 656, 665-66, 678-79, 686-90, 693	<ul style="list-style-type: none"> • Section 3(a) <ul style="list-style-type: none"> ➤ Mr. Stewart was CEO of a company with nationwide operations and was not particularly focused on Massachusetts. ➤ Mere knowledge about actions that might take place in the Commonwealth is insufficient, and there are no allegations that Mr. Stewart personally participated in the Massachusetts-based activities he was allegedly informed about. ➤ None of the Commonwealth's claims arise from Mr. Stewart's alleged receipt of reports or discussions about activities in Massachusetts. • Section 3(c) <ul style="list-style-type: none"> ➤ No allegations that this alleged conduct took place in Massachusetts. • Section 3(d) <ul style="list-style-type: none"> ➤ No allegations that Mr. Stewart personally participated in the activities he was allegedly informed about, and merely receiving or discussing information cannot have caused tortious injury in Massachusetts. 	¶¶ 15, 16, 17, 18
"Oversaw" the transmission of allegedly misleading marketing materials to Massachusetts.	¶¶ 601, 606-07	<ul style="list-style-type: none"> • Section 3(a) <ul style="list-style-type: none"> ➤ No allegations that Mr. Stewart personally sent any materials to Massachusetts. • Section 3(c) <ul style="list-style-type: none"> ➤ No allegations that this alleged conduct took place in Massachusetts. • Section 3(d) <ul style="list-style-type: none"> ➤ No allegations that Mr. Stewart was personally involved in transmitting any publications to any Massachusetts doctors. 	¶¶ 8, 11
"Recommended" that Purdue expand its sales force, "ensured" that Purdue sales representatives be sent to Massachusetts to promote Purdue's opioids, and "directed" the hiring of McKinsey consultants to advise on how to increase opioid sales.	¶¶ 598, 600, 603-04, 609, 612, 617, 627, 635-36, 664, 681, 694	<ul style="list-style-type: none"> • Section 3(a) <ul style="list-style-type: none"> ➤ Purdue's alleged sales force expansion was national in scope and not aimed squarely at Massachusetts. ➤ Mr. Stewart was not personally involved in the sale or marketing of Purdue's opioid medications in Massachusetts, nor did he personally direct activities aimed at Massachusetts. ➤ Mr. Stewart did not have day-to-day responsibility for the McKinsey projects or interact with McKinsey personnel based in Massachusetts, and their work was not focused on or aimed at Massachusetts • Section 3(c) <ul style="list-style-type: none"> ➤ No allegations that this alleged conduct took place in Massachusetts. • Section 3(d) <ul style="list-style-type: none"> ➤ Mr. Stewart was not personally involved in Purdue's sales and marketing activities in Massachusetts or personally direct activities aimed at Massachusetts. 	¶ 14
"Directed" a Purdue staff member to attend a conference on opioids in Massachusetts.	¶ 663	<ul style="list-style-type: none"> • Section 3(a) <ul style="list-style-type: none"> ➤ Mr. Stewart does not recall directing any Purdue employee to attend a conference in Massachusetts and it was not his practice to determine who attended specific conferences; Purdue employees attended conferences in states across the country and the fact that a conference was occurring in Massachusetts would not have been of particular significance. ➤ No allegations as to how the Commonwealth's claims arise from this staff member's alleged attendance at the conference. • Section 3(c) <ul style="list-style-type: none"> ➤ No allegations that this alleged conduct took place in Massachusetts. • Section 3(d) <ul style="list-style-type: none"> ➤ No allegations that the conference was related to the sale or marketing of Purdue's opioid medications, let alone that it gave rise to tortious injury. 	¶ 13
Sought funding for, and traveled to Massachusetts in connection with, the Massachusetts General Hospital Purdue Pharma Pain Program.	¶¶ 278, 623, 641, 851	<ul style="list-style-type: none"> • Section 3(a) <ul style="list-style-type: none"> ➤ The MGH pain program was unrelated to the promotion or sale of Purdue's opioid medications; as such, the Commonwealth's claims cannot have arisen from any activities connected to that program. • Section 3(c) <ul style="list-style-type: none"> ➤ Same; the program is not related to the promotion or sale of Purdue's opioid medications, and thus did not cause any of the tortious injury alleged in the Complaint. • Section 3(d) <ul style="list-style-type: none"> ➤ Same; the program is not related to the promotion or sale of Purdue's opioid medications, and thus did not cause any of the tortious injury alleged in the Complaint. 	¶ 12

Appendix
Jurisdictional Allegations Against Defendants Stewart, Timney and Landau

Allegation Against Mr. Timney	Complaint ¶	Reason(s) Allegation Fails To Establish Long-Arm Jurisdiction Over Mr. Timney	Declaration ¶
"Directed" the successful lobbying for legislation in Massachusetts that prohibited non-abuse deterrent formulations of drugs from being dispensed if an abuse deterrent formulation was available.	¶¶ 454, 765, 768, 770	<ul style="list-style-type: none"> • Section 3(a) <ul style="list-style-type: none"> ➤ Mr. Timney was not personally involved in any lobbying efforts in Massachusetts and Purdue's lobbying efforts were underway before Mr. Timney joined Purdue. ➤ Mr. Timney reported on the Massachusetts legislation because its content was novel and notable, not because it passed in Massachusetts. ➤ No allegations that the Commonwealth's claims arise from Mr. Timney reporting on Massachusetts legislation. • Section 3(c) <ul style="list-style-type: none"> ➤ No allegations that Mr. Timney engaged in any alleged conduct in Massachusetts. • Section 3(d) <ul style="list-style-type: none"> ➤ Mr. Timney was not personally involved in lobbying efforts in Massachusetts, and there is no allegation that his reporting on Massachusetts legislation caused tortious injury. 	¶ 14
"Received" information about and discussed opioid-related developments in Massachusetts.	¶¶ 756, 758, 774, 783	<ul style="list-style-type: none"> • Section 3(a) <ul style="list-style-type: none"> ➤ Mr. Timney was CEO of a company with nationwide operations and was not particularly focused on Massachusetts. ➤ Mere knowledge about actions that might take place in the Commonwealth is insufficient, and there are no allegations that Mr. Timney personally participated in the Massachusetts-based activities he was allegedly informed about. ➤ None of the Commonwealth's claims arise from Mr. Timney's being informed about or discussing activities in Massachusetts. • Section 3(c) <ul style="list-style-type: none"> ➤ No allegations that this alleged conduct took place in Massachusetts. • Section 3(d) <ul style="list-style-type: none"> ➤ No allegations that Mr. Timney personally participated in the activities he was allegedly informed about, and merely receiving or discussing information cannot have caused tortious injury in Massachusetts. 	¶ 8
"Sent" a staff member to a meeting about the opioid crisis at Tufts.	¶ 781	<ul style="list-style-type: none"> • Section 3(a) <ul style="list-style-type: none"> ➤ Mr. Timney does not recall directing anyone to attend this meeting, and often was not involved in determining who attended such meetings; to the extent he may have discussed particular conferences, he would have focused on the meeting agenda, rather than location. ➤ No allegations as to how the Commonwealth's claims arise from a staff member allegedly being sent to this meeting. • Section 3(c) <ul style="list-style-type: none"> ➤ No allegations that this alleged conduct took place in Massachusetts. • Section 3(d) <ul style="list-style-type: none"> ➤ No allegations that the meeting was related to the sale or marketing of Purdue's opioid medications or that it gave rise to any tortious injury. 	¶ 17
"Directed" the creation of a call center to contact prescribers and promote Purdue's opioid medications over the phone.	¶¶ 755, 763	<ul style="list-style-type: none"> • Section 3(a) <ul style="list-style-type: none"> ➤ Mr. Timney believes efforts to create the call center were under way before he arrived at Purdue. ➤ To Mr. Timney's knowledge, the call center was not located in or targeted towards Massachusetts. • Section 3(c) <ul style="list-style-type: none"> ➤ No allegations that this alleged conduct took place in Massachusetts. • Section 3(d) <ul style="list-style-type: none"> ➤ Mr. Timney believes efforts to create the call center were under way before he arrived at Purdue, and there is no allegation that it caused any tortious injury. 	¶ 15
Wrote a letter to the editor of the Boston Globe.	¶ 779	<ul style="list-style-type: none"> • Section 3(a) <ul style="list-style-type: none"> ➤ Mr. Timney did not personally draft this letter, and there are no allegations that the Commonwealth's claims arise from the submission of this letter. • Section 3(c) <ul style="list-style-type: none"> ➤ No allegations that this alleged conduct took place in Massachusetts. • Section 3(d) <ul style="list-style-type: none"> ➤ Mr. Timney did not personally draft this letter, and no allegations as to how it could have caused tortious injury. 	¶ 18
Had involvement in Purdue's "Evolve 2 Excellence" ("E2E") sales initiative.	¶¶ 759-60, 767	<ul style="list-style-type: none"> • Section 3(a) <ul style="list-style-type: none"> ➤ E2E and other sales initiatives were nationwide in scope, and were not specifically focused on Massachusetts. ➤ Mr. Timney was not personally involved in the sale or marketing of Purdue's opioids in Massachusetts. • Section 3(c) <ul style="list-style-type: none"> ➤ No allegations that this alleged conduct took place in Massachusetts. • Section 3(d) <ul style="list-style-type: none"> ➤ Mr. Timney was not personally involved in the sale or marketing of Purdue's opioids in Massachusetts. 	¶ 16

Appendix
Jurisdictional Allegations Against Defendants Stewart, Timney and Landau

Allegation Against Dr. Landau	Complaint ¶	Reason(s) Allegation Fails To Establish Long-Arm Jurisdiction Over Dr. Landau	Declaration ¶
"Directed" a staff member to visit Boston for a conference on opioid risk management.	¶ 794	<ul style="list-style-type: none"> • Section 3(a) <ul style="list-style-type: none"> ➤ Dr. Landau does not recall personally directing anyone to attend this particular conference; if he did, it would have been due to the agenda, rather than the location in Massachusetts. ➤ No allegations as to how the Commonwealth's claims arise from a staff member allegedly being sent to this meeting. • Section 3(c) <ul style="list-style-type: none"> ➤ No allegations that this alleged conduct took place in Massachusetts. • Section 3(d) <ul style="list-style-type: none"> ➤ No allegations that the conference gave rise to tortious injury. 	¶ 12
"Analyzed" and "discussed" opioid-related developments in Massachusetts.	¶¶ 647, 793, 801, 805	<ul style="list-style-type: none"> • Section 3(a) <ul style="list-style-type: none"> ➤ Dr. Landau is CEO of a company with nationwide operations and was not particularly focused on Massachusetts; as Chief Medical Officer and Head of Clinical Development, Dr. Landau was not responsible for the sales, marketing, or promotion of Purdue's opioid medications. ➤ Mere knowledge about actions that might take place in the Commonwealth is insufficient, and there are no allegations that Dr. Landau personally participated in the Massachusetts-based activities he was allegedly informed about. ➤ None of the Commonwealth's claims arise from Dr. Landau's being informed about or discussing activities in Massachusetts. • Section 3(c) <ul style="list-style-type: none"> ➤ No allegations that this alleged conduct took place in Massachusetts. • Section 3(d) <ul style="list-style-type: none"> ➤ No allegations that Dr. Landau personally participated in the activities he was allegedly informed about, and merely receiving or discussing information cannot have caused tortious injury in Massachusetts. 	¶¶ 20, 21
Attended the International Conference on Opioids in Massachusetts.	¶¶ 811, 814	<ul style="list-style-type: none"> • Dr. Landau <u>did not attend</u> the conference in either instance alleged in the Complaint. Thus, these allegations cannot serve as a basis for personal jurisdiction under any theory. 	¶¶ 11, 12
Interacted with Massachusetts-based companies about opioids, including for the development and marketing of drugs.	¶¶ 798, 799, 812, 823, 851	<ul style="list-style-type: none"> • Section 3(a) <ul style="list-style-type: none"> ➤ Dr. Landau did not personally negotiate contracts with Analgesic Research and did not meet with Analgesic Research in Massachusetts. ➤ Purdue's agreements with Analgesic Research related to the clinical development of Purdue's opioid medications during their pre-approval stage and were not related to the marketing or promotion of those medications; the Commonwealth's claims thus cannot have arisen from the agreements. ➤ Allegation concerning collaboration with Collegium on marketing of extended-release opioids is false: Dr. Landau did not work with Collegium about marketing strategies, and the cited document does not support the Commonwealth's allegation. ➤ No allegation that Dr. Landau instructed staff to investigate Collegium's opioid promotion in Massachusetts or that the Commonwealth's claims arise from this alleged conduct. • Section 3(c) <ul style="list-style-type: none"> ➤ No allegations that this alleged conduct took place in Massachusetts. • Section 3(d) <ul style="list-style-type: none"> ➤ Purdue's work with Analgesic Research was unrelated to the sale or marketing of opioid medications, and accordingly did not cause any tortious injury. ➤ Allegations concerning collaboration with Collegium on marketing strategy are false and Dr. Landau's instruction to investigate Collegium's opioid promotion could not have caused tortious injury. 	¶¶ 17, 18, 19
Sent correspondence to Massachusetts.	¶¶ 286, 793, 824, 851	<ul style="list-style-type: none"> • Section 3(a) <ul style="list-style-type: none"> ➤ Dr. Landau did not personally draft the referenced letter. ➤ No allegations that the Commonwealth's claims arise from the referenced letter. • Section 3(c) <ul style="list-style-type: none"> ➤ No allegations that this alleged conduct took place in Massachusetts. • Section 3(d) <ul style="list-style-type: none"> ➤ No allegations that the referenced letter caused tortious injury in Massachusetts. 	¶ 22
Took out advertisements in newspapers emphasizing abuse deterrent properties of Purdue's opioids with the intent of reaching Massachusetts subscribers.	¶ 826	<ul style="list-style-type: none"> • Section 3(a) <ul style="list-style-type: none"> ➤ Dr. Landau did not personally take out any advertisement in any newspaper, and the advertisement did not target Massachusetts. ➤ No allegations that the Commonwealth's claims arise from this advertisement. • Section 3(c) <ul style="list-style-type: none"> ➤ No allegations that this alleged conduct took place in Massachusetts. • Section 3(d) <ul style="list-style-type: none"> ➤ Dr. Landau did not personally take out any advertisements and there are no allegations that the cited advertisement caused tortious injury in Massachusetts. 	¶ 23