

Landau Appendix
Documents Cited In Support Of Jurisdictional Allegations Against Dr. Landau

Exhibit	The Commonwealth Contends . . .	But This Exhibit Does Not Support Jurisdiction Over Dr. Landau Because . . .
<p>Exhibit 16</p> <p>10/9/17 Email from Matthew Vance to Martha Maldonado and others, re: "Craig Landau Field Rides."</p>	<p>This exhibit shows that Dr. Landau was involved in the day-to-day marketing activities or promotion of prescription opioids in Massachusetts. (JW Aff. ¶11.)</p>	<ul style="list-style-type: none"> • The exhibit contains no reference <u>at all</u> to Massachusetts. • The exhibit does not show that Dr. Landau had day-to-day involvement in or oversight over marketing, promoting or selling opioids in Massachusetts or elsewhere. • The exhibit only shows that at one time Purdue staff proposed a schedule – via an email on which Dr. Landau was not copied – for Dr. Landau to conduct field rides with sales representatives in locations outside of Massachusetts. • The exhibit does not even show that those field rides ever actually even happened (and the Commonwealth does not suggest that they did).
<p>Exhibit 17</p> <p>11/25/08 Email from Craig Landau to Maria Gordia, re: "Fw: Deliverable Summary for Call."</p> <p>Attachment: "Analgesic Research Project Specification Summary."</p>	<p>This exhibit shows "that Landau's characterizations of the Purdue Analgesic Research relationship and his role in it are incorrect." (JW Aff. ¶12.)</p>	<ul style="list-style-type: none"> • The exhibit does not show that Purdue's relationship with Analgesic Research was related to marketing, promoting or selling opioids. • Instead, the exhibit reflects that Analgesic Research proposed certain activities relating to an FDA-required Risk Evaluation and Mitigation Strategy. • The exhibit supports Dr. Landau's claim that he was not involved in negotiating a contract with Analgesic Research. Dr. Landau notes in the exhibit that negotiating contracts is "not [his] area of responsibility." • The exhibit does not suggest that the arrangement discussed therein was actually entered into.
<p>Exhibit 18</p> <p>12/2/08 Email from Craig Landau to Maria Gordia and others, re: "First Draft – OTR Briefing Document for FDA."</p>	<p>This exhibit shows "that Landau's characterizations of the Purdue Analgesic Research relationship and his role in it are incorrect." (JW Aff. ¶12.)</p>	<ul style="list-style-type: none"> • This exhibit does not show that Purdue's relationship with Analgesic Research was related to marketing, promoting or selling opioids. • Instead, the exhibit reflects that Analgesic Research proposed certain activities relating to an FDA-required Risk Evaluation and Mitigation Strategy.
<p>Exhibit 19</p> <p>9/1/17 Email from Craig Landau to Margaret Feltz and others, re: "Meeting to discuss opioid promotion."</p>	<p>This exhibit shows that Dr. Landau (i) regularly conducted or solicited business in Massachusetts, or has personally directed or engaged in the marketing or promotion of Purdue's opioid medications in Massachusetts, (ii) personally made or directed payments to Massachusetts doctors or directed any other Purdue employee to visit or make payments to any particular doctor in Massachusetts, or (iii) personally directed any other Purdue employee to engage in particular promotional activities in Massachusetts. (JW Aff. ¶13.)</p>	<ul style="list-style-type: none"> • The exhibit contains no reference <u>at all</u> to Massachusetts. • The exhibit does not show that Dr. Landau had any day-to-day involvement in or personal oversight over marketing, promoting or selling opioids or directed any activities to occur in Massachusetts. • At most, the exhibit shows Dr. Landau's general awareness of a "recertification" process for Purdue sales representatives in light of the planned launch of a non-opioid medication.
<p>Exhibit 20</p> <p>11/13/17 Email from Tejash Shah to Anthony Monaco, re: "Opioid Crisis & Purdue Pharma."</p> <p>Attachment: "Letter for Pres. Monaco."</p>	<p>This exhibit shows that Dr. Landau (i) regularly conducted or solicited business in Massachusetts, or has personally directed or engaged in the marketing or promotion of Purdue's opioid medications in Massachusetts, (ii) personally made or directed payments to Massachusetts doctors or directed any other Purdue employee to visit or make payments to any particular doctor in Massachusetts, or (iii) personally directed any other Purdue employee to engage in particular promotional activities in Massachusetts. (JW Aff. ¶13.)</p>	<ul style="list-style-type: none"> • The exhibit does not show that Dr. Landau had day-to-day involvement in or oversight over marketing, promoting or selling opioids in Massachusetts. • The exhibit was a one-off, private communication that was unrelated to the sale or marketing of Purdue's opioid medications. • The Commonwealth cannot, and does not, assert that its claims arise from this exhibit.

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<p>Exhibit 21</p> <p>5/7/00 Memo from David Haddox to Paul D. Goldenheim and others, re: "Site Visit of Masters of Science in Pain Research, Education and Policy, Tufts University School of Medicine, 4/26/00 through 4/27/00."</p>	<p>This exhibit shows that Massachusetts was of particular commercial focus for Mr. Stewart, Mr. Timney, and Dr. Landau as CEOs of Purdue and that they understood it to be of particular focus for Purdue. (JW Aff. ¶14.)</p>	<ul style="list-style-type: none"> • This exhibit has no connection to Dr. Landau. • The exhibit predates Dr. Landau's tenure as CEO of Purdue by 17 years.
<p>Exhibit 22</p> <p>5/16/01 Letter from Martin A. Acquadro to Paul Goldenheim.</p>	<p>This exhibit shows that Massachusetts was of particular commercial focus for Mr. Stewart, Mr. Timney and Dr. Landau as CEOs of Purdue and that they understood it to be of particular focus for Purdue. Wojewoda Affidavit ¶14.</p>	<ul style="list-style-type: none"> • This exhibit has no connection to Dr. Landau. • This exhibit predates Dr. Landau's tenure as CEO of Purdue by 16 years. • This exhibit relates to Purdue's grant to the MGH Pain Program, which the Commonwealth has not alleged Dr. Landau played a role in.
<p>Exhibit 23</p> <p>8/3/14 Email from Brianne Weingarten to Lisa Miller and others, re: "Action needed by next week for Joe, Mike and Brianne: Purdue Fact Pack – Steward."</p> <p>Attachment: "Partners Profile."</p>	<p>This exhibit shows that Massachusetts was of particular commercial focus for Mr. Stewart, Mr. Timney and Dr. Landau as CEOs of Purdue and that they understood it to be of particular focus for Purdue. Wojewoda Affidavit ¶14.</p>	<ul style="list-style-type: none"> • This exhibit has no connection to Dr. Landau. • In fact, this exhibit predates Dr. Landau's tenure as CEO of Purdue. • In any event, this exhibit only reflects Purdue's <u>nationwide</u> sales and marketing activities.
<p>Exhibit 24</p> <p>1/8/14 Email from Michael Ronning to Jon Lowne and David Rosen, re: "FW: Final ppt documents."</p> <p>Attachment: "OxyContin growth opportunities."</p>	<p>This exhibit shows that Massachusetts was of particular commercial focus for Mr. Stewart, Mr. Timney, and Dr. Landau as CEOs of Purdue and that they understood it to be of particular focus for Purdue. Wojewoda Affidavit ¶14.</p>	<ul style="list-style-type: none"> • This exhibit does not reference Dr. Landau. • At most, the exhibit reflects McKinsey & Co.'s recommendations regarding Purdue's <u>nationwide</u> sales and marketing activities for OxyContin.
<p>Exhibit 25</p> <p>4/25/14 Email from Brianne Weingarten to Lisa Miller and others, re: "Fwd: Group Practice Profiles_Purdue_preliminary-v2.pptx"</p> <p>Attachment: "Preliminary Corporatized provider profiles."</p>	<p>This exhibit shows that Massachusetts was of particular commercial focus for Mr. Stewart, Mr. Timney, and Dr. Landau as CEOs of Purdue and that they understood it to be of particular focus for Purdue. Wojewoda Affidavit ¶14.</p>	<ul style="list-style-type: none"> • This exhibit has no connection to Dr. Landau. • In fact, this exhibit predates Dr. Landau's tenure as CEO of Purdue. • In any event, the exhibit only reflects Purdue's <u>nationwide</u> sales and marketing activities.