

Stewart Appendix
Exhibits Cited In Support Of Jurisdictional Allegations Against Mr. Stewart

Exhibit	The Commonwealth Contends . . .	But The Exhibit Does Not Support Jurisdiction Over Mr. Stewart Because . . .
Exhibit 1 5/25/11 Email chain including Russell Gasdia, Jon Sackler, John Stewart and others, re: "Butrans Weekly Report for the week ending May 13, 2011."	This exhibit shows "that Stewart managed the marketing and promotion of opioids in Massachusetts, including directing the unfair and deceptive activities of sales representatives in Massachusetts." (JW Aff. ¶6.)	<ul style="list-style-type: none">• The exhibit contains no reference <u>at all</u> to Massachusetts.• Instead, the exhibit relates to Purdue's <u>nationwide</u> sales and marketing activities and, at best, reflects that Mr. Stewart requested high-level information from the Vice President of Sales and Marketing.
Exhibit 2 3/8/12 Email chain including Russell Gasdia, John Stewart, Richard Sackler, Mike Innaurato, Windell Fisher and Donna Condon, re: "Copy of Butrans Weekly Report 2-24-12-RS.xslm."	This exhibit shows "that Stewart managed the marketing and promotion of opioids in Massachusetts, including directing the unfair and deceptive activities of sales representatives in Massachusetts." (JW Aff. ¶6.)	<ul style="list-style-type: none">• The exhibit contains no reference <u>at all</u> to Massachusetts.• The exhibit does not reflect Mr. Stewart directing sales or marketing activities in Massachusetts, or anywhere else, but rather relates to data requested by a Purdue board member.
Exhibit 3 7/11/12 Email from Mike Innaurato to William Mallin, John Stewart and others, re: "June 18 2012 midyear board marketing pres v11.pptx."	This exhibit shows "that Stewart managed the marketing and promotion of opioids in Massachusetts, including directing the unfair and deceptive activities of sales representatives in Massachusetts." (JW Aff. ¶6.)	<ul style="list-style-type: none">• The exhibit contains no reference <u>at all</u> to Massachusetts.• Instead, the exhibit relates to Purdue's <u>nationwide</u> sales and marketing activities, and at best, reflects Mr. Stewart's general awareness of these <u>nationwide</u> activities.
Exhibit 4 7/18/13 Memo from McKinsey & Co. to John Stewart and Russell Gasdia, re: "Identifying granular growth opportunities for OxyContin: First Board update."	This exhibit shows "that Stewart managed the marketing and promotion of opioids in Massachusetts, including directing the unfair and deceptive activities of sales representatives in Massachusetts." (JW Aff. ¶6.)	<ul style="list-style-type: none">• This exhibit does not mention the word "Massachusetts" or single Massachusetts out in any way.• While the exhibit (drafted by McKinsey & Co.) notes that nurse practitioners are able to prescribe OxyContin in 41 states, the exhibit does not actually identify those 41 states.• At most, the exhibit reflects Mr. Stewart's awareness of McKinsey & Co.'s recommendations regarding Purdue's <u>nationwide</u> sales and marketing activities for OxyContin.
Exhibit 5 8/5/13 Presentation from McKinsey & Co., re: "OxyContin growth opportunities."	This exhibit shows "that Stewart managed the marketing and promotion of opioids in Massachusetts, including directing the unfair and deceptive activities of sales representatives in Massachusetts." (JW Aff. ¶6.)	<ul style="list-style-type: none">• The exhibit contains no reference <u>at all</u> to Massachusetts.• At most, the exhibit reflects Mr. Stewart's awareness of McKinsey & Co.'s recommendations regarding Purdue's <u>nationwide</u> sales and marketing activities for OxyContin.
Exhibit 6 8/8/13 Memo from McKinsey & Co. to John Stewart and Russell Gasdia, re: "Identifying granular growth opportunities for OxyContin: Addendum to July 18th and August 5th updates."	This exhibit shows "that Stewart managed the marketing and promotion of opioids in Massachusetts, including directing the unfair and deceptive activities of sales representatives in Massachusetts." (JW Aff. ¶6.)	<ul style="list-style-type: none">• The exhibit contains no reference <u>at all</u> to Massachusetts.• At most, the exhibit reflects Mr. Stewart's awareness of McKinsey & Co.'s recommendations regarding Purdue's <u>nationwide</u> sales and marketing activities for OxyContin.

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Exhibit 7 5/22/13 Email from John Stewart to Russell Gasdia and others, re: "Edits to 2013 Mid-Year Sales Update." Attachment: "2013 Mid Year Sales Update."	This exhibit shows "that Stewart managed the marketing and promotion of opioids in Massachusetts, including directing the unfair and deceptive activities of sales representatives in Massachusetts." (JW Aff. ¶6.)	<ul style="list-style-type: none">• The exhibit contains no references <u>at all</u> to Massachusetts• At most, this exhibit shows that Mr. Stewart made general edits to a presentation summarizing Purdue's <u>nationwide</u> sales and marketing trends.
Exhibit 8 9/3/2013 Rosetta Creative Brief, re: "Campaign Refresh."	This exhibit shows "that Stewart managed the marketing and promotion of opioids in Massachusetts, including directing the unfair and deceptive activities of sales representatives in Massachusetts." (JW Aff. ¶6.)	<ul style="list-style-type: none">• This exhibit contains no reference <u>at all</u> to Massachusetts.• There is no indication that Mr. Stewart received or saw this exhibit. In any event, this exhibit relates to Purdue's <u>nationwide</u> marketing campaign for OxyContin.
Exhibit 9 7/9/09 Memo from David Haddox to John Stewart, re: "Massachusetts General Hospital (MGH) Purdue Pharma Pain Program."	<p>This exhibit shows "that Stewart managed the decision to pay the Massachusetts General Hospital and that a purpose of the payment was the promotion of Purdue's opioids." (JW Aff. ¶7.)</p> <p>This exhibit shows that Mr. Stewart attempted to influence legislation in Massachusetts. (JW Aff. ¶ 14.)</p>	<ul style="list-style-type: none">• At most, this exhibit reflects that Purdue approved a grant to the MGH Pain Program in 2003, four years prior to Mr. Stewart's tenure as CEO, and that Mr. Stewart was involved in reinstating that grant.• This exhibit does not rebut Mr. Stewart's sworn declaration that he understood the purpose of the MGH Pain Program to be education relating to pain management generally, rather than the promotion of opioid medications.• Mr. Stewart is the recipient, not the author, of this exhibit. As a result, the exhibit's speculation regarding a possible impact on the Massachusetts legislature has no bearing on whether Mr. Stewart personally attempted to influence legislation in Massachusetts.
Exhibit 10 12/22/09 Email from Edward Mahony to John Stewart and others, re: "Notes and Actions Follow Up from November Board Meeting." Attachment: "2010 Budget Presentation Notes and Actions 12-22-09B sent to JHS."	This exhibit shows "that Stewart managed the decision to pay the Massachusetts General Hospital and that a purpose of the payment was the promotion of Purdue's opioids." (JW Aff. ¶7.)	<ul style="list-style-type: none">• At most, this exhibit reflects that Purdue approved a grant to the MGH Pain Program prior to Mr. Stewart's tenure as CEO, and that Mr. Stewart was involved in reinstating that grant.
Exhibit 21 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."	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.)	<ul style="list-style-type: none">• This exhibit has no connection to Mr. Stewart.• The exhibit predates Mr. Stewart's tenure as CEO of Purdue by 7 years.

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Exhibit 22 5/16/01 Letter from Martin A. Acquadro to Paul Goldenheim.	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.)	<ul style="list-style-type: none">• This exhibit has no connection to Mr. Stewart.• The exhibit predates Mr. Stewart's tenure as CEO of Purdue by six years.• This exhibit confirms that the purpose of the MGH Pain Program was to support developments and education in the area of pain management, as Mr. Stewart stated in his sworn declaration.
Exhibit 23 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." Attachment: "Partners Profile."	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.)	<ul style="list-style-type: none">• This exhibit has no connection to Mr. Stewart.• The exhibit postdates Mr. Stewart's tenure as CEO of Purdue.• The exhibit only reflects Purdue's <u>nationwide</u> sales and marketing activities.
Exhibit 24 1/8/14 Email from Michael Ronning to Jon Lowne and David Rosen, re: "FW: Final ppt documents." Attachment: "OxyContin growth opportunities."	This exhibit shows that Massachusetts was of particular commercial focus for Mr. Stewart as CEO of Purdue, that Mr. Stewart understood Massachusetts to be of particular focus for Purdue and that Mr. Stewart attempted to influence legislation in Massachusetts. (JW Aff. ¶14.)	<ul style="list-style-type: none">• At most, the exhibit reflects Mr. Stewart's awareness of McKinsey & Co.'s recommendations regarding Purdue's <u>nationwide</u> sales and marketing activities for OxyContin.
Exhibit 25 4/25/14 Email from Brianne Weingarten to Lisa Miller and others, re: "Fwd: Group Practice Profiles_Purdue_preliminary-v2.pptx." Attachment: "Preliminary Corporatized provider profiles."	<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> <p>This exhibit shows that Mr. Stewart attempted to influence legislation in Massachusetts. (JW Aff. ¶14.)</p> <p>This exhibit shows that sales initiatives during Mr. Timney's tenure were specifically focused on Massachusetts, that Massachusetts was of greater importance than other states from a sales strategy perspective and that Mr. Timney considered Massachusetts to be a high value geography. (JW Aff. ¶14.)</p>	<ul style="list-style-type: none">• This exhibit has no connection to Mr. Stewart.• The exhibit postdates Mr. Stewart's tenure as CEO of Purdue.• The exhibit only reflects Purdue's <u>nationwide</u> sales and marketing activities.