

2017 WL 10152334 (Okl.Dist.) (Trial Order)  
District Court of Oklahoma.  
Cleveland County

STATE of Oklahoma, ex rel., Mike Hunter, Attorney General of Oklahoma, Plaintiff,

v.

(1) PURDUE PHARMA L.P.; (2) Purdue Pharma, Inc.; (3) The Purdue Frederick Company;  
(4) Teva Pharmaceuticals USA, Inc.; (5) Cephalon, Inc.; (6) Johnson & Johnson; (7) Janssen  
Pharmaceuticals, Inc.; (8) Ortho-McNeil-Janssen Pharmaceuticals, Inc., n/k/a Janssen Pharmaceuticals  
(9) Janssen Pharmaceutica, Inc., n/k/a Janssen Pharmaceuticals, Inc.; (10) Allergan, PLC, f/k/  
a Actavis PLC, f/k/a Actavis, Inc., f/k/a Watson Pharmaceuticals, Inc.; (11) Watson Laboratories,  
Inc.; (12) Actavis LLC; and (13) Actavis Pharma, Inc., f/k/a Watson Pharma, Inc., Defendants.

No. CJ-2017-816.  
December 6, 2017.

**Order**

[Thad Balkman](#), Judge.

\*1 The State and the Defendants appear by counsel for oral arguments on Defendants' Motions to Dismiss and Motion to Stay. After review of the briefs and oral arguments from the parties, the Court finds and orders that the State's Petition sufficiently states its claims and those claims should not be dismissed based on preemption or pursuant to the Primary Jurisdiction doctrine or the Court's inherent power. However the State's cause of action under the Oklahoma Consumer Protection Act [15 OS § 751-65](#) is dismissed with prejudice. The Defendants are to respond to the State's discovery requests pursuant to a protective order; a formal protective order setting out the terms will be prepared by Defendants and submitted to the State by December 15, 2017.

The parties are to appear and enter a scheduling order on January 11, 2018 at 10:00am.

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Thad Balkman, District Judge

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