

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO COUNTY, FLORIDA**

STATE OF FLORIDA, OFFICE OF THE
ATTORNEY GENERAL, DEPARTMENT
OF LEGAL AFFAIRS,

Plaintiff,

v.

Case No. 2018-CA-001438

PURDUE PHARMA L.P.,
PURDUE PHARMA, INC., THE
PURDUE FREDERICK COMPANY, INC.,
ENDO HEALTH SOLUTIONS INC.,
ENDO PHARMACEUTICALS INC.,
JANSSEN PHARMACEUTICALS, INC.,
JOHNSON & JOHNSON, CEPHALON, INC.,
TEVA PHARMACEUTICALS USA, INC.,
ALLERGAN FINANCE, LLC,
ACTAVIS PHARMA, INC., ACTAVIS LLC,
INSYS THERAPEUTICS, INC.,
AMERISOURCEBERGEN DRUG
CORPORATION, CARDINAL HEALTH,
INC., MCKESSON CORPORATION,
MALLINCKRODT LLC, WALGREEN CO.,
CVS HEALTH CORPORATION, and
CVS PHARMACY, INC.,

Defendants.

**AGREED ORDER GRANTING PLAINTIFF'S UNOPPOSED MOTION TO
DETERMINE CONFIDENTIALITY OF COURT RECORDS IN ACCORDANCE WITH
RULE OF JUDICIAL ADMINISTRATION 2.420(c)(8) & (9)**

THIS CAUSE is before the Court on Plaintiff's Unopposed Motion to Determine Confidentiality of Court Records filed by Plaintiff State of Florida, Office of the Attorney General, Department of Legal Affairs (Plaintiff) pursuant to Florida Rule of Judicial Administration 2.420(c)(8) & (9)(A)(iv) and the protective order governing this case, *see* Stipulated Protective Order ¶ 63 (Feb. 7, 2019) (Protective Order), for an order sealing the following information relative to this civil action case:

1. Particular information within Plaintiff's Second Motion to Compel Directed to McKesson's Objections and Responses to Plaintiff's First Set of Interrogatories and First and Second Sets of Requests for Production (Plaintiff's Second Motion to Compel McKesson) and its corresponding Exhibit 7, filed on May 11, 2021, specifically:

- a. Information designated as Confidential or Highly Confidential under the Protective Order by McKesson in Plaintiff's Second Motion to Compel McKesson at page 5, lines 6-14.
- b. Information designated as Confidential or Highly Confidential under the Protective Order by McKesson in Exhibit 7 to Plaintiff's Second Motion to Compel McKesson at page 3, lines 5-6, and 16-18.

2. Particular documents within the court file for Plaintiff's Second Motion to Compel McKesson, filed on May 11, 2021, all of which were designated as Confidential or Highly Confidential in full under the Protective Order by McKesson, specifically:

- a. Exhibit 8 to Plaintiff's Second Motion to Compel McKesson.
- b. Exhibit 9 to Plaintiff's Second Motion to Compel McKesson.
- c. Exhibit 10 to Plaintiff's Second Motion to Compel McKesson.
- d. Exhibit 11 to Plaintiff's Second Motion to Compel McKesson.

3. There are no affected non-parties to be notified of this Motion. And this Motion was not contested and a hearing was not conducted.

Upon agreement of the parties, and having considered the Motion, legal authorities, and otherwise being fully advised in the premises, the Court **GRANTS** the Motion as follows:

4. Confidentiality of portions of Plaintiff's Second Motion to Compel McKesson and its corresponding Exhibit 7, and all of Exhibits 8 through 11, is required in accordance with

Rule of Judicial Administration 2.420(c)(8) & (9)(A)(iv) to comply with the Protective Order and to protect the following interest: obtaining evidence to determine the legal issues in a case.

5. The Court further finds that no less restrictive measure is available to protect these interests, and that the degree, duration and manner of confidentiality ordered herein are no broader than necessary to protect these interests.

Wherefore, it is hereby **ORDERED** that:

In accordance with Florida Rule of Judicial Administration 2.420 and the Standards for Access to Electronic Court Records and Access Security Matrix, the Clerk of the Court is hereby directed to maintain as confidential the following materials related to this matter:

6. The following information contained within Plaintiff's Second Motion to Compel McKesson and its corresponding Exhibit 7, specifically:

- a. Information designated as Confidential or Highly Confidential under the Protective Order by McKesson in Plaintiff's Second Motion to Compel McKesson at page 5, lines 6-14.
- b. Information designated as Confidential or Highly Confidential under the Protective Order by McKesson in Exhibit 7 to Plaintiff's Second Motion to Compel McKesson at page 3, lines 5-6, and 16-18.

7. The following documents within Plaintiff's Second Motion to Compel McKesson, specifically:

- a. Exhibit 8 to Plaintiff's Second Motion to Compel McKesson, which McKesson designated as Confidential or Highly Confidential under the Protective Order.
- b. Exhibit 9 to Plaintiff's Second Motion to Compel McKesson, which McKesson designated as Confidential or Highly Confidential under the Protective Order.

- c. Exhibit 10 to Plaintiff's Second Motion to Compel McKesson, which McKesson designated as Confidential or Highly Confidential under the Protective Order.
- d. Exhibit 11 to Plaintiff's Second Motion to Compel McKesson, which McKesson designated as Confidential or Highly Confidential under the Protective Order.

However, the file and progress docket shall otherwise remain available to the public.

It is further **ORDERED** that any materials sealed pursuant to this Order shall be conditionally disclosed upon the entry of a further order by this Court finding that such opening is necessary for purposes of judicial or governmental accountability or First Amendment rights.

It is further **ORDERED** that, within ten (10) days of the date of this Order, the Clerk of the Court shall post a copy of this Order on the bulletin board of the Sixth Judicial Circuit Court in and for Pasco County, Florida and the Clerk's website for a period of thirty (30) days to provide public notice.

It is further **ORDERED** that the Clerk of the Court is hereby authorized to unseal any materials sealed pursuant to this Order for the purpose of filing, microfilming or imaging files, or transmitting a record to an appellate tribunal. The materials shall be resealed immediately upon completion of the filing.

DONE AND ORDERED in Chambers at New Port Richey, Pasco County, Florida, this ___ day of _____, 2021.



2018-CA-001438 5/13/2021 3:28:12 PM
Circuit Judge Kimberly Sharpe Byrd

2018-CA-001438 5/13/2021 3:28:12 PM

Honorable Kimberly Sharpe Byrd
Circuit Court Judge

Copies sent to all counsel of record via the Judicial Automated Workflow System (JAWS).