

**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.

**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 Reply in Support of Its Third Motion to Compel Directed to Cardinal Health, Inc.'s Objections and Responses to Plaintiff's Second Set of Requests for Production and First Set of Interrogatories ("Plaintiff's Cardinal Reply") and its corresponding Exhibits 21 and 22, filed on May 21, 2021, specifically:

- a. Information designated as Confidential or Highly Confidential under the Protective Order by Cardinal in Plaintiff's Cardinal Reply at page 6, lines 7-10.
- b. Information designated as Confidential or Highly Confidential under the Protective Order by Cardinal in Plaintiff's Cardinal Reply at page 6, footnote 4, footnote lines 1-8.
- c. Information designated as Confidential or Highly Confidential under the Protective Order by Cardinal in Exhibit 21 to Plaintiff's Cardinal Reply at page 2, lines 19-22.
- d. Information designated as Confidential or Highly Confidential under the Protective Order by Cardinal in Exhibit 22 to Plaintiff's Cardinal Reply at page 2, lines 7-8.

2. 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:

3. Confidentiality of portions of Plaintiff's Cardinal Reply 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.

4. 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:

5. The following documents within Plaintiff's Cardinal Reply, filed on May 21, 2021, specifically:
- a. Information designated as Confidential or Highly Confidential under the Protective Order by Cardinal in Plaintiff's Cardinal Reply at page 6, lines 7-10.
 - b. Information designated as Confidential or Highly Confidential under the Protective Order by Cardinal in Plaintiff's Cardinal Reply at page 6, footnote 4, footnote lines 1-8.
 - c. Information designated as Confidential or Highly Confidential under the Protective Order by Cardinal in Exhibit 21 to Plaintiff's Cardinal Reply at page 2, lines 19-22.
 - d. Information designated as Confidential or Highly Confidential under the Protective Order by Cardinal in Exhibit 22 to Plaintiff's Cardinal Reply at page 2, lines 7-8.

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 5/24/2021 10:35:02 AM
Circuit Judge Kimberly Sharpe Byrd

2018-CA-001438 5/24/2021 10:35:02 AM

Honorable Kimberly Sharpe Byrd
Circuit Court Judge

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