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INDIVIOR, INC.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ADAPT PHARMA OPERATIONS
LIMITED ET AL.,

Plaintiffs,

-vs.-

TEVA PHARMACEUTICALS USA,
INC. and TEVA PHARMACEUTICALS
INDUSTRIES LTD.
Defendant.

Case No. 2:16-cv-07721-JLL-LAD
(Consolidated)

**INDIVIOR, INC.'S OBJECTIONS AND RESPONSES TO
DEFENDANTS' SUBPOENA TO PRODUCE DOCUMENTS**

Pursuant to Rules 26 and Rule 45 of the Federal Rules of Civil Procedure, third party Indivior, Inc. ("Indivior"), through its counsel of record, hereby objects to Defendants Teva Pharmaceuticals, Inc. and Teva Pharmaceuticals Industries,

Ltd.'s Subpoena to Produce Documents, dated January 11, 2019 (“Third Party Subpoena”).

GENERAL OBJECTIONS

Indivior asserts the following General Objections to the Third Party Subpoena:

1. Indivior objects to the Definitions and Instructions set forth in the Third Party Subpoena to the extent that they fail to comply with, or seek to impose obligations in excess of, the Federal Rules of Civil Procedure or any applicable local rules or court orders.

2. Indivior objects to the Definitions set forth in the Third Party Subpoena to the extent that they make any individual request vague, ambiguous, or unintelligible, and/or not susceptible to any single meaning. Any term defined in the Third Party Subpoena that Indivior does not object to shall not be construed to mean that Indivior understands and/or agrees with the Definition.

3. Indivior objects to the timing of the Third Party Subpoena’s requested production. Indivior also objects to any copying or sampling of produced material except as reasonably necessary to litigate issues relevant to the litigation.

4. Indivior objects to the Third Party Subpoena to the extent that it seeks information protected by the attorney-client privilege, work-product immunity, or any other applicable privilege or immunity. Indivior has expressly stated privilege

objections to each document request that, in Indivior's view, can be reasonably interpreted to encompass privileged information. To the extent that any other document request may encompass privileged information, however, Indivior hereby incorporates this General Objection.

5. Indivior objects to each document request as overly broad and unduly burdensome to the extent that it seeks information that is neither relevant to the subject matter of the present action nor proportional to the needs of the case.

6. Indivior objects to each request to the extent it seeks the identification of "all documents" or "all information" concerning a particular subject on the grounds that Indivior could not possibly represent that its responses reflect or include "all" potentially responsive documents located anywhere within its possession, custody, or control, as that would require it to undertake an unreasonably broad search. Indivior objects to performing searches and responses of such breadth on the grounds of undue burden and expense.

7. Indivior objects to the Third Party Subpoena to the extent that it seeks documents that are not within Indivior's possession, custody, or control, or requests that Indivior create documents that are not currently in Indivior's possession. By responding to the Third Party Subpoena, Indivior does not represent that it knows or is otherwise in possession of any relevant information or documents.

8. Indivior objects to the Third Party Subpoena to the extent that it purports to require Indivior to reach legal conclusions about any document.

9. Indivior objects to each document request to the extent it seeks disclosure of Indivior's highly confidential and/or proprietary information without regard for the potential commercial risk to Indivior associated with such disclosure and/or the relative necessity (or lack thereof) of such information to the underlying action. Indivior further objects to the Third Party Subpoena to the extent that the Discovery Confidentiality Order [DI 40] in the underlying action is insufficient to protect Indivior's highly confidential and/or proprietary information from the risk of subsequent disclosure or use.

10. Indivior objects to each request to the extent it seeks information and/or documents and things that are subject to one or more confidentiality agreements with non-parties to this action, which agreements restrict its ability to disclose such information and/or documents and things.

The foregoing General Objections shall be deemed continuous throughout and are hereby incorporated by reference in the Responses set forth below.

SPECIFIC OBJECTIONS AND RESPONSES

DOCUMENT REQUEST NO. 1:

The Complete Response Letter received from the FDA concerning Indivior, Inc.'s New Drug Application for an intranasal naloxone hydrochloride product ("Indivior's NDA").

RESPONSE TO DOCUMENT REQUEST NO. 1:

Indivior incorporates by reference its General Objections as if set forth in full herein. Indivior objects to this request to the extent it seeks information protected by the attorney-client privilege, the work product immunity, the common interest privilege, or other applicable grounds of privilege or immunity. Indivior is not a party to this action and objects to this request as overly broad and unduly burdensome. Indivior also objects to producing Indivior's highly confidential documents under the terms of the Discovery Confidentiality Order [DI 40] ("DCO") currently in place in the above-captioned action to the extent that such production would be accessible to the parties' IP Personnel.

Subject to and without waiving its general and specific objections, Indivior responds as follows: provided that the parties to the above-identified action agree to maintain the confidentiality of Indivior's highly confidential documents subject to the DCO in this action, with the additional condition that said documents will be kept on an outside counsel only basis, Indivior will produce relevant documents

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