

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074

<https://oversight.house.gov>

December 8, 2020

Mr. Roberto Finzi
Paul, Weiss, Rifkind, Wharton & Garrison LLP
1285 Avenue of the Americas
New York, NY 10019

Dear Mr. Finzi:

On November 24, 2020, I wrote to your clients, Dr. Richard Sackler and Mr. David Sackler, requesting their testimony at a hearing scheduled for today to examine the role of Purdue Pharma and members of the Sackler family in fueling America's opioid epidemic.

The Committee has obtained documents showing that members of the Sackler family were closely involved in Purdue's efforts to grow the market share for OxyContin and other opioids, even after entering into a settlement with the Department of Justice on charges of misbranding—for which Purdue paid \$600 million in fines for misleading the public about OxyContin's risk.¹ Your clients' testimony is critically important to the Committee's interest in examining the opioid epidemic in order to inform legislative efforts to address this crisis.

After numerous attempts by Committee staff to confirm your clients' voluntary attendance, you finally responded in a letter on December 1, 2020, explaining that your clients were declining the invitation to appear before the Committee, citing the pendency of ongoing bankruptcy proceedings.²

As I am sure you are aware, the existence of separate proceedings outside the Legislative Branch does not affect the Committee's authority to hold hearings with your clients. Nevertheless, in an effort to accommodate your clients' concerns, I directed my staff to explore with your clients the possibility of rescheduling the hearing to January. On December 3, 2020,

¹ *Origins of an Epidemic: Purdue Pharma Knew Its Opioids Were Widely Abused*, New York Times (May 29, 2018) (online at www.nytimes.com/2018/05/29/health/purdue-opioids-oxycontin.html); *A Blizzard of Prescriptions': Documents Reveal New Details About Purdue's Marketing of OxyContin*, STAT (Jan. 15, 2019) (online at www.statnews.com/2019/01/15/massachusetts-purdue-lawsuit-new-details/).

² Letter from Roberto Finzi, Counsel to Dr. Richard Sackler and Mr. David Sackler, to Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform (Dec. 1, 2020).

Dr. Richard Sackler

Page 2

after consultation with the Ranking Member's office, our staff provided multiple possible dates in January and asked whether your clients would participate voluntarily.³

In response, you and your clients have provided no indication that they will participate voluntarily. Indeed, your clients have not agreed to testify at a hearing before the Committee at any time—ever. As a result, it appears that your clients are not engaging in this process in good faith.

For these reasons, the Committee will now move forward with this hearing one week from today—on Tuesday, December 15, 2020, at 10:00 a.m. Please inform the Committee by 12:00 p.m. on Thursday, December 10, 2020, whether your clients will participate voluntarily. If they do not, I will have no choice but to compel their testimony by subpoena.

The enclosed Witness Instruction Sheet provides information for witnesses appearing before the Committee. Please note the procedures for submitting written testimony at least two business days prior to the hearing. If you have any questions, please contact Committee staff at (202) 225-5051.

Sincerely,



Carolyn B. Maloney
Chairwoman

Enclosure

cc: The Honorable James R. Comer, Ranking Member

³ Email from Staff, Committee on Oversight and Reform, to Roberto Finzi, Counsel to Dr. Richard Sackler and Mr. David Sackler (Dec. 3, 2020).