JASON CHAFFETZ, UTAH
CHAIRMAN

ONE HUNDRED FOURTEENTH CONGRESS

ELIJAH E. CUMMINGS, MARYLAND
RANKING MINORITY MEMBER

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6143
MAJORITY (202) 225–5074
MINORITY (202) 225–5051
http://oversight.house.gov

March 10, 2016

J. Michael Pearson
Chief Executive Officer
Valeant Pharmaceuticals International, Inc.
400 Somerset Corporate Blvd.
Bridgewater, NJ 08807

Dear Mr. Pearson:

On January 6, 2016, the Committee wrote to Valeant's Interim Chief Executive Officer, Howard Schiller, requesting documents about your company's decision to dramatically increase the prices of two heart medications, Isuprel and Nitropress, by 525% and 212% respectively, immediately after acquiring them in February 2015.[1]

In response to the Committee's request, your counsel informed the Committee on February 3, 2016, that "Valeant has produced all of the nonprivileged documents that it has identified as responsive to the itemized requests in the January 6, 2016 letter."[2]

On that same day, February 3, 2016, Committee staff asked your counsel for an explanation of the documents you withheld from the Committee, as well as the number of documents you withheld.[3] Your counsel responded, "We will look into what the total number is of documents that were responsive but privileged." He added that you withheld documents "covered by attorney-client privilege or work product privilege."[4]

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[1] Letter from Chairman Jason Chaffetz and Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, to Howard B. Schiller, Interim Chief Executive Officer, Valeant Pharmaceuticals International, Inc. (Jan. 6, 2016) (online at https://oversight.house.gov/wp-content/uploads/2016/01/2016-01-06-JC-EEC-to-Schiller-Valeant-re-drug-pricing-due-1-22.pdf).

[2] Letter from Robert Kelner, Covington and Burling LLP, to House Committee on Oversight and Government Reform Staff (Feb. 3, 2016).

[3] Email from House Committee on Oversight and Government Reform Staff to Robert Kelner, Covington and Burling (Feb. 3, 2014).

[4] Email from Robert Kelner, Covington and Burling LLP, to House Committee on Oversight and Government Reform Staff (Feb. 3, 2014).

Last week, Committee staff again requested the "total number of documents, the type of documents, and the reason for the withholding of documents that were responsive to the Committee's request."[5] To date, we have received no response to these questions.

In order for the Committee to understand which documents Valeant has withheld—and on what basis—we request that you provide a detailed privilege log with the following information by March 23, 2016:

(1) a description of each document you have withheld;

(2) the total number of pages of each document you have withheld; and

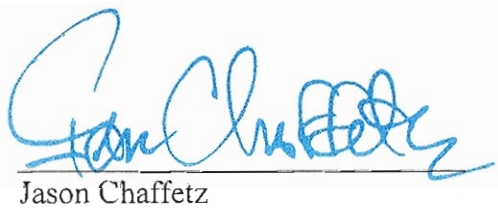
(3) the reason you have withheld each document.

Based on the information you provide in response to this request, the Committee will be able to evaluate the basis for your decision to withhold these documents and determine whether, and to what extent, such documents should be provided.

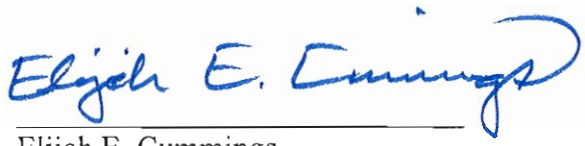
The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and may at "any time" investigate "any matter" as set forth in House Rule X.

Please contact Sean Hayes of the Chairman's staff at (202) 225-5074 or Kelly Christl of the Ranking Member's staff at (202) 225-5051 with any questions about this request. Thank you for your attention to this matter.

Sincerely,



Jason Chaffetz
Chairman



Elijah E. Cummings
Ranking Member

[5] Email from House Committee on Oversight and Government Reform Staff to Robert Kelner, Covington and Burling LLP (Mar. 2, 2016).