

# Johnson & Johnson acted as opioid 'kingpin,' Oklahoma attorney general says



(CNN) — Johnson & Johnson acted as an opioid "kingpin" by using a web of foreign and domestic subsidiaries to supply raw materials "necessary to manufacture the opioid pain medications thrust upon the unsuspecting public since the 1990s," Oklahoma Attorney General Mike Hunter alleged in court filings.

Hunter argued that Johnson & Johnson should be compelled to release millions of pages of documents about its role in the opioid epidemic.

"Urgent, immediate and complete exposure to the public of J&J's primary role in creating this public health crisis has become paramount," Hunter said in a filing in Cleveland County District Court on February 26 as part of his lawsuit against J&J and other pharmaceutical companies.

Johnson & Johnson and its parent company, Janssen Pharmaceuticals, have rejected the allegations as baseless, arguing that Hunter's goal is to "batter Oklahomans with sensationalistic headlines and to poison potential jurors against Janssen in advance of trial."

"The Court should not permit the State to corrupt the jury pool by improperly de-designating confidential documents en masse as part of an effort to try this case before the Court even comes to order," the company responded in a filing March 5.

The Oklahoma case is set to be the first in the nation to go before a jury that could determine pharmaceutical companies' role in the nation's opioid epidemic and whether Big Pharma should pay for it. On Friday, [District Court Judge Thad Balkman](#) denied pharmaceutical companies' request for a delay, saying it is in the public's interest for the trial to begin May 28.



The attorney general has said the defendants -- Purdue Pharma, Johnson & Johnson, Teva Pharmaceuticals, Allergan and others -- deceived the public into believing that opioids were safe for extended use. The companies

have maintained that their marketing was appropriate.

In the filing against Johnson & Johnson, Hunter said the public deserves to know whether the company deliberately targeted children, the elderly and veterans for opioid painkillers and whether it blocked legislation and regulatory action aimed at limiting opioid availability.

Hunter noted that if Johnson & Johnson didn't deliberately target the state's most vulnerable population, "then J&J should have no problem agreeing to make all of its documents public."

"The public," he said, "deserves to know the face and name of the source,

supplier and kingpin responsible for flooding and infecting this country with an unprecedented surplus of deadly drugs -- J&J, a 'family company.' "

He said his case will demonstrate that Johnson & Johnson "acted as the kingpin behind this Public Health Emergency, profiting at every stage."



Although Johnson & Johnson is best known for its Baby Powder, the company for years marketed the extended-use opioid pill Nucynta, which it sold for [\\$1 billion in 2015](#).

Hunter alleges that Johnson & Johnson also used two subsidiaries, Tasmanian Alkaloids and Noramco, that "created, grew, imported and supplied to J&J and its other co-conspirators, including Purdue, the narcotic raw materials necessary to manufacture the opioid pain medications thrust upon the unsuspecting public since the 1990s."

He said it is time for "J&J's practice of cloaking its actions in secrecy [to] end."

"The public interest in this information is urgent, enduring and overwhelming," he said in the filing.

While much attention has been paid to Purdue Pharma's role in aggressively marketing the opioid painkiller OxyContin, Johnson & Johnson has largely escaped scrutiny about how -- or if -- it shares blame for the opioid epidemic. However, that has begun to change.

During a [testy exchange last month](#) at a Senate hearing on drug prices, Sen. Maggie Hassan, D-New Hampshire, demanded answers about Johnson & Johnson's marketing of opioids -- what she called "deceptive and truly unconscionable marketing tactics, despite the known risks, so you could sell more drugs to maximize your profits."

J&J Chairwoman and Executive Vice President Jennifer Taubert responded by defending the company's handling of opioids and saying, "Everything that I have seen leads me to conclusively believe that everything that we have done with our products, when we promoted opioid products ... was very appropriate and responsible."

The company divested itself of opioids in July 2016, selling off Tasmanian Alkaloids and Noramco for a reported [\\$800 million](#).

In the court filing last month, Hunter argued for the release of the opioid documents, saying Johnson & Johnson can no longer claim the material as confidential because it "faces no present competitive disadvantage from the public disclosure of its internal records relating to opioids created prior to July 2016." The court has previously said the company did not forfeit confidentiality when it divested.

"The public deserves and has a right to learn and understand J&J's true role in creating this public health crisis," Hunter wrote. "J&J has not and cannot meet its burden to overcome this challenge."

He even turned company credos on their heads. "The answer is clear: this 'family company' has destroyed families. Those families deserve to see and hear the truth," Hunter said.

Johnson & Johnson maintained that it is protected by confidentiality -- a fact, it said, the court has upheld.

"The State's eagerness to try this case in the media only underscores why this Court's prior confidentiality rulings were correct," the company wrote in the March 5 filing. "The State's motion to launch a media campaign to bias the jury pool should be denied."

In a statement Tuesday, Hunter reiterated that "in the interest of transparency and the public's right to know, we believe these documents

need to be released."

Johnson & Johnson responded that the allegations "made against our company are baseless and unsubstantiated."

"Our actions in the marketing and promotion of these important prescription pain medications were appropriate and responsible -- and that will be apparent to the jurors who will hear the evidence at trial," the company said in a statement. "Opioid abuse and addiction are serious public health issues. We are committed to being part of the ongoing dialogue and to doing our part to find ways to address this crisis."

As for its former subsidiaries, Tasmanian Alkaloids and Noramco, Johnson & Johnson said that the "allegations do not align with the facts" and that the businesses complied with laws and regulations related to controlled substances.

"We look forward to the opportunity to rebut the State's baseless claims should the State present them to the jury at trial," the company said.

[Get CNN Health's weekly newsletter](#)

Amid a staggering death toll from overdoses, President Trump declared the opioid crisis a public health emergency in October 2017, saying "nobody has seen anything like what is going on now." Since 2000, more than 600,000 Americans have died of drug overdoses, with the majority coming from opioids, according to the Centers for Disease Control and Prevention.

A total of 36 states have filed cases against pharmaceutical companies in state courts related to the opioid crisis. The other 14 are investigating whether to bring suits, as well.

Legal observers say the Oklahoma case will be closely watched for precedent. In the past three years, nearly 3,000 people have died of overdose deaths in Oklahoma, according to the attorney general's office.