

Retirees:

As you may have heard, a decision has been reached in the Oklahoma opioid trial involving Johnson & Johnson. Below is a message from Michael Ullmann, Executive Vice President, General Counsel, Johnson & Johnson, which was distributed to U.S. employees. For more information, please visit this [website](#) that shares facts and context related to our prescription opioid medications and our legal response.



# A Message on the Opioid Litigation

Dear Colleagues,

Immediately upon learning of the judge's decision against us earlier today in the Oklahoma opioid trial, [we announced](#) our intention to appeal. I want to share with you information about this ruling, our confidence in our strong grounds for appeal, and our public health actions which reflect our continued commitment to addressing the opioid crisis.

In case you are not aware, the court ruled that our Company should be held accountable for the opioid crisis in the State of Oklahoma and pay \$572 million to "abate" the crisis.

**Let me be very clear: our Company was not the cause of the opioid crisis in Oklahoma or anywhere else. There is no factual or legal basis for this outcome and we strongly disagree with the court's decision.**

We understand that this case is taking place against the backdrop of a serious

public health issue which may have driven the court's misapplication of the facts and the law. As you talk to your family, friends and colleagues, it's important to be aware of some key facts that were not reflected in the court's decision:

- Since launch, the products at issue (DURAGESIC®, NUCYNTA® and NUCYNTA® ER) have accounted for less than one percent of total opioid prescriptions in Oklahoma as well as the United States.
- The judgment disregards our Company's compliance with U.S. federal and state laws, the unique role these medicines play in the lives of the people who need them and our responsible marketing practices.
- The judge ruled that our Company's limited sale of FDA-approved opioid medicines was a "public nuisance." For over 100 years, public nuisance laws in Oklahoma have been applied to resolve property disputes, not lawsuits involving the sale of goods. Furthermore, no court **in the history of Oklahoma's legal system** has awarded monetary damages for abatement of a public nuisance.
- Janssen's prescription opioid pain medications – a patch and a crush-resistant pill – were innovative treatment options for patients suffering from severe pain. Their FDA-approved labels provide clear information about their risks and benefits. Data presented at trial show they had low rates of abuse and diversion.
- Our former affiliates manufactured and sold Active Pharmaceutical Ingredients (APIs) in quantities set by the U.S. Drug Enforcement Administration (DEA) and only sold them to companies that had the necessary licenses to purchase these ingredients.

These are just a few of the reasons why we are confident we have strong grounds to appeal this decision.

In addition to Oklahoma, you may hear about other opioid cases pending against the Company. Most are consolidated in a federal court in Ohio, where a trial is currently scheduled for late October. The opinion in Oklahoma does not have a binding impact on other courts. We are fully prepared to defend against the allegations in those cases, yet we remain open to viable options to resolve them.

We are well positioned as a Company to continue to address these lawsuits. However, we recognize the opioid crisis has had a devastating impact in communities across the U.S. Our 130-year heritage tells us that a public health

crisis requires a public health response. As you would expect of our Company, we are working to respond through ongoing collaboration with frontline health care professionals who are best placed to develop meaningful solutions that can be implemented effectively and as quickly as possible.

For example, to date, we have sponsored independently developed education programs for tens of thousands of doctors, nurses and pharmacists across America, helping to better equip them to fight substance abuse and addiction. The Company is also collaborating with academic institutions to identify evidence-based best practices that can empower nurses and other health care practitioners to effectively respond to the opioid crisis at the community level. We will keep you informed of new plans and programs as we continue to work towards solutions.

More information on our public health collaborations and this topic can be found on <http://www.factsaboutourprescriptionopioids.com/>

We expect the opioid litigation to play out across the United States in the years to come. While our legal team will continue to fight these battles, the most important thing that all of you can do is continue to work on behalf of Our Credo stakeholders – the patients, consumers, mothers and fathers and all others who use our products. Thank you for your continuing efforts on behalf of the people we serve.

Sincerely,

A handwritten signature in black ink that reads "Michael Ullmann". The signature is written in a cursive, slightly slanted style.

Michael Ullmann  
Executive Vice President, General Counsel