

## United States Senate

WASHINGTON, DC 20510

COMMITTEES:  
APPROPRIATIONS  
COMMERCE  
HEALTH, EDUCATION,  
LABOR, AND PENSIONS

March 17, 2020

The Honorable Judge Robert D. Drain  
300 Quarropas Street  
White Plains, NY 10601

Dear Judge Drain:

I write to you to express my opposition to efforts to shield members of the Sackler family from legal action as part of Purdue Pharma L.P.'s ("Purdue") bankruptcy proceeding. As you know, members of the Sackler family owned and served on the board of Purdue, which brought the family significant personal financial gain. While an injunction to protect the assets of Purdue during its bankruptcy proceeding is reasonable, extending this protection to the individual members of the Sackler family is not.

The Sackler family is not bankrupt. In fact, they made billions of dollars through their ownership of Purdue and its decades-long deceptive marketing campaign for addictive opioids. Much of what is currently known about the Sacklers' current financial position has been shielded from public view, though they have proposed a "voluntary contribution" of \$3 billion to the eventual bankruptcy settlement, presumably in exchange for an agreement to escape prosecution. This exchange overlooks the fact that the public is the most important beneficiary of an investigation into the Sackler family and its role in the opioid crisis. As I wrote in my December 17, 2019 letter<sup>1</sup> to the Board of Directors at Purdue Pharma, "In order to address the opioid crisis and ensure the same mistakes are not repeated, we must identify and end the behavior that led us to this point." We cannot effectively serve the public interest without investigating the Sackler family and therefore I ask that you modify the injunction to exclude them from protection from legal action.

Wisconsin is one of the 24 states that have objected to allowing the Sacklers' to remain shielded from legal action. It is shameful that the Sacklers have been granted this leniency while those in the grip of substance use disorder—who lack the Sacklers' billions—suffer. In an effort to seek justice for the thousands of families that have lost loved ones, and recourse for injuries and deaths that have impacted every city, county, and state in America, we have not shied away from holding individuals accountable for their roles—doctors, nurses, and pharmacists from around the United States have been held accountable for their actions. But the Sackler family has not, despite their role in a deceptive marketing campaign that accelerated an epidemic that has claimed an estimated 400,000 lives while generating \$35 billion in revenue. It is incumbent upon

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<sup>1</sup> Senator Tammy Baldwin. "Baldwin, Colleagues Call on Purdue Pharma To Cancel \$1.3 Million Bonus for CEO". 17 December 2019. Accessible at: <https://www.baldwin.senate.gov/press-releases/baldwin-calls-on-purdue-pharma-to-cancel-bonus-for-ceo>

us to assure the American people that we will do everything we can to bring information about this crisis to the light of day, and hold all parties responsible for their roles.

Today we find ourselves in the midst of another public health crisis, this time from coronavirus. State health and safety budgets, which have yet to recover from the opioid crisis, will be strained further by the demands placed on them by this pandemic. Wisconsin and other states need to investigate the Sackler family to move forward and ensure that we are not repeating mistakes of the past that could cost thousands of lives. We know that misinformation—intentional or not—has exacerbated the crisis and will likely cost lives. It is a stark reminder that the public can be greatly harmed by what it doesn't know. In closing, I again ask that you remove the Sackler family from the injunction and allow them to be held accountable for their actions.

Sincerely,

A handwritten signature in blue ink that reads "Tammy Baldwin". The signature is written in a cursive, flowing style.

Tammy Baldwin  
United States Senator