

## Mallinckrodt at a Glance

Founded in 1867 in St. Louis, Mo., Mallinckrodt Pharmaceuticals is a leading manufacturer of opioid painkillers. Its subsidiary, SpecGx, dominated the US market for generic opioids as addiction and overdose rates spiked across the nation. According to DEA records, the company provided nearly 40% of all opioid pills sold in US pharmacies between 2006-2012.

In 2011, Mallinckrodt came under [investigation by the DEA](#) for failing to meet its requirements to track and report suspicious orders of controlled substances. The company was a defendant in thousands of lawsuits filed by state and local governments, American Indian tribes, and individuals against the opioid industry. The plaintiffs accused the company of contributing to the deadly opioid crisis by trivializing addiction and failing to identify and report suspicious drug orders.

In October 2020, Mallinckrodt filed for bankruptcy in Delaware. A court-sanctioned agreement led to the release of 1.4 million documents produced by the company in the litigation.

## Key Legal Documents

- [Background](#) of the bankruptcy case.
- Case [docket](#).
- Mallinckrodt's [request](#) on Oct. 12, 2020, for the judge to stay cases against the company. [Exhibit 1](#) includes a list of all 2,650 opioid-related lawsuits filed up to that point.
- January 2021 [agreement](#) outlining the terms of Mallinckrodt's document release.
- The [search terms](#) used to produce documents in the multidistrict litigation between Jan. 1, 1998, and Dec. 31, 2017.

## Selected Complaints and How They Evolved

### [Commonwealth of Kentucky v. Mallinckrodt](#) (July 2018)

Kentucky's complaint summarizes Mallinckrodt's role in the epidemic. Factual allegations include the company's trivialization of opioid addiction, misrepresentations about abuse deterrents, and failure to institute procedures to report suspicious orders of opioids.

### [State of Alaska v. Mallinckrodt](#) (January 2019)

Alaska's suit echoes many of Kentucky's allegations, but also specifies that the company's aggressive and deceptive marketing mischaracterized the risk of opioid addiction, and that Mallinckrodt falsely described addiction as "pseudoaddiction." Alaska also alleges that Mallinckrodt knew it was obligated to report and respond to diversion and suspicious prescribers but failed to uphold those responsibilities.

[State of New Hampshire v. Mallinckrodt](#) (August 2019)

New Hampshire’s factual allegations repeat many of those made by Kentucky and Alaska, with the notable addition that Mallinckrodt “manipulated its suspicious order monitoring program to avoid DEA reporting.” The complaint also notes that Mallinckrodt collected data from its chargeback system that tracked information on downstream clients, but the company failed to use that data to flag suspicious orders.

[State of Rhode Island v. Mark C. Trudeau](#) (October 2020)

Rhode Island’s complaint directly blames Mallinckrodt’s President and CEO, Mark C. Trudeau. “Under Trudeau’s management and oversight Mallinckrodt repeatedly breached its legal duties.... Trudeau has profited handsomely from his oversight of deceptive marketing and oversupply of opioids.”