

Sackler history extends beyond OxyContin

Only descendants of two of three brothers named in opioid lawsuits

Geoff Mulvihill
ASSOCIATED PRESS

For a family with its name on a wing of one of the world's most famous museums and a school at a prestigious university, members of the Sackler clan have done a remarkable job of vanishing from public life.

The family owns OxyContin maker Purdue Pharma, which filed for bankruptcy this week as part of an effort to settle some 2,600 lawsuits accusing it of helping spark the national opioid crisis that has killed more than 400,000 people in the U.S. in the last two decades.

Any settlement deal is likely to take a cut of their future income, and some states have sought to go after the Sacklers' wealth, much of which has moved through a complex chain of companies and trusts in offshore tax havens.

In a filing Wednesday, Purdue asked a bankruptcy court to halt all litigation against family members as well as the company.

The relatives have rarely spoken publicly in recent years and did not show up to the first bankruptcy hearing this week, in White Plains, New York. Here are some basic facts about the family:

The company ownership

Brothers Mortimer, Raymond and Arthur Sackler — all physicians — bought the drug company known as Purdue Frederick in 1952. They are all dead, but their widows, children and grandchildren now own the company, along with an international drug company, Mundipharma.

Purdue is privately held, and its board has been mainly controlled by Sackler heirs over the years, until legal issues began piling up in the last year. No family members are currently on the board.

In court filings, lawyers for family members have argued that their clients, serving as company directors, were not heavily involved in day-to-day decisions at the company.

The family branches

Arthur Sackler became a force in the drug industry separate from Purdue. In addition to his medical background, he worked in advertising and designed campaigns aimed at doctors for blockbuster drugs such as Valium.

In 1997, Sackler was posthumously placed in the Medical Advertising Hall of Fame, with a citation that says he "helped shape pharmaceutical promotion as we know it today."

But Arthur Sackler died years before OxyContin hit the market. And states that have filed lawsuits against members of the family have not named his heirs. Arthur Sackler's widow, Jillian Sackler, a major donor, has told institutions that her husband's money did not come from OxyContin.

Raymond Sackler had a son, Richard, who now lives in Florida and was an executive at Purdue when OxyContin launched in 1996. Richard Sackler later became CEO of the company.

Plaintiffs in the lawsuits have seized on his words, especially his remarks to the company sales force at a 1996 launch party for OxyContin held just after a major snowstorm. He said the launch of the tablets would "be followed by a blizzard of prescriptions that will bury the competition. The prescription blizzard will be so

deep, dense and white."

Richard Sackler wrote in a 1999 email cited in court filings, "You won't believe how committed I am to make OxyContin a huge success. It is almost that I dedicated my life to it."

In a 2015 deposition, he tried to estimate how much the family had made from OxyContin. He said it was over \$1 billion but less than \$10 billion.

Mortimer Sackler, at the end of his life, lived in London. His widow, Theresa, who lives in England, and children Mortimer D.A. Sackler, Kathe Sackler and Ilene Sackler Lefcourt are all former board members and are named in lawsuits.

Mortimer D.A. Sackler and Kathe Sackler were also Purdue executives.

In an April 1 deposition, Kathe Sackler was asked about an email attributed to her that concluded, "PS, I will strenuously protest approval of any document that suggests or implies, as this draft does, that Richard Sackler was responsible for the idea of developing a controlled-release oxycodone product. As you know, when I told Richard of my idea in the mid '80s, he asked me what oxycodone was."

In questioning under oath, though, she said she did not remember writing that and that it would have been uncharacteristic of her to do so.

The money

In 2016, Forbes magazine listed the Sacklers as one of the 20 wealthiest families in the U.S. and tallied their holdings at \$13 billion.

For decades, the family members have been major philanthropic donors. In the 1970s, they underwrote the Metropolitan Museum of Art wing that houses an ancient Egyptian temple and bears the Sackler name.

Obituaries

TODAY'S OBITUARIES AND DEATH NOTICES

Name	Age	Town, State	Death Date	Arrangements
*Barthel, Jerome (Jerry)	77	Sartell	12-Sep	
Butner, Gerald "Jerry" L.	86	Sartell	17-Sep	Williams Dingmann Family Funeral Home, Sauk Rapids
Garner, Bill F.	87	St. Cloud	19-Sep	Benson Funeral Home, St. Cloud
Harrison, Dale E.	65	St. Michael	19-Sep	Williams Dingmann Funeral Home, St. Cloud
Jordahl, Grace E.	66	St. Joseph	17-Sep	Benson Funeral Home, St. Cloud
Lind, Kimberly Rae	67		19-Sep	Shelley Funeral Chapel in Little Falls
Schloesser, Thomas M.	75	Sartell	06-Sep	Daniel Funeral Home, St. Joseph
Schoenecker, Robert J.	93	Eden Valley	18-Sep	Williams Dingmann Family Funeral Home, Eden Valley
Sexton, Sandra "Sandy" K.	74	Sartell	19-Sep	Williams Dingmann Family Funeral Home, Sauk Rapids
Sieger, Jean E.	73	St. Cloud	24-Aug	Daniel Funeral Home, St. Cloud
Utsch, Jeanette P.	88	St. Martin	16-Sep	Daniel-Anderson Funeral Home, Paynesville
Wallaker, Larry E.	88	St. Cloud	13-Sep	Daniel Funeral Home, St. Cloud
Winter, Norbert M.	92	Waite Park	20-Sep	Williams Dingmann, St. Cloud
Yunik, Margaret	102	Albany	16-Sep	Miller Carlin Funeral Home

* Additional information in display obituaries

Obituaries appear in print and online at www.SCTimes.com/Obituaries



Jerome (Jerry) Barthel

SARTELL - Jerry died unexpectedly at his home in Sartell on Sept. 12, 2019 after years of battling chronic pain and depression.

He was born to Anton and Martha Barthel on March 8, 1942. He married Diane Benner on July 18, 1962.

Jerry worked construction and then for the Minn. Dept. of Transportation. He retired from the DOT in 2004.

He enjoyed metal and woodworking in his workshop but mostly he enjoyed being with his family.

He is survived by his wife Diane, his daughter Julie (Dale) Herold, Deerwood, MN. and his two sons Jerry Wayne, Sauk Rapids and Jeffrey, St. Cloud. He is also survived by eight grandsons, and three beautiful great-grand daughters.

Jerry was cremated by the Neptune Society of MN.

A "Celebration of Life" will be held at a future date.



Censure

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Friday to council members, Mayor Dave Kleis and City Administrator Matt Staehling, according to a news release issued Friday.

The council's rules of conduct, approved in 2004, includes 10 rules. Rule No. 6 states council members should "respect the majority vote of the council, and do not undermine or sabotage implementation of ordinances, policies, and rules passed by the majority."

Rule No. 7 states council members should "respect, and not belittle, the minority opinions" and rule No. 8 states council members "praise in public and critique in private."

"Taken together, these rules appear to cast a broad net of censorship over council members' exercise of free speech about public issues," the letter states. "As such, these rules are likely unconstitutional because they are overly broad and they restrict expression based on message, ideas, subject matter, or content." The letter states it is "well-established that the speech of elected officials engaged in a public debate about political issues is constitutionally protected speech."

McKinney said Friday the organization is requesting a written response from the council.

"Hopefully the City Council heeds our warning and takes action to amend the rules so that they aren't overly broad and likely unconstitutional — and that the council rescind the censure of council member Hontos," he said.

McKinney also recommended the council move the forum back to before the meeting adjourns, where it is publicly broadcast and people's comments are recorded in the meeting minutes.

"(The council's) responsibility is to encourage democracy," he said. "City councils are sort of the quintessential experiment in democracy at the local level. They can be a model to the citizenry of how democracy plays out in a way that respects everyone's voice and encourages diverse voices to be open and listened to and respected and heard — and of course, not only before there's a vote but after there's a vote."

McKinney said the ACLU does not send these types of letters very often.

"It's only in the rare case where we feel there is such a clear likelihood that the First Amendment has been violated and has done so in such a flagrant way that we take some action," he said. "By and large, our experience in Minnesota has been that city councils usually take some action consistent with our assessment."

"We invested a lot of time and energy in doing a thorough and fair review of how we understand the law to be," he continued. "Often times, it's not rocket science: you get a city council member's attorneys involved and they come to similar conclusions."

McKinney said the ACLU will evaluate next steps after the council responds to the letter.

"In other cases in which we have council members likely violating First Amendment principles, we have threatened to file lawsuits. Certainly more broadly, nationally, we have sued city councils over their rules and conduct that we deemed to violate or likely violate First Amendment protections," McKinney said. "I'll be clear. I don't know if that's where we are in this case."

McKinney said he has not spoken with any St. Cloud officials about the letter. An ACLU spokesperson said Friday the organization had not yet heard back from any council members.

Council President Jeff Goerger did not respond to a request for comment Friday.

Goerger previously told the Times the council will redo the vote to censure Hontos at the Sept. 23 meeting as a way to ensure the vote does not violate open meeting law.

The Sept. 9 vote may have violated Minnesota's Open Meeting Law because members voted by secret ballot.