May 10, 2025

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF NEW YORK

In re: PURDUE PHARMA L.P., ET AL., Debtors	Chapter 11 Case No- 19-23649

MOTION FOR FULL-SATISFACTION OF CLAIM AND OBJECTION TO DISCHARGE OF CERTAIN DEBTS BY PERSONAL INJURY CLAIMS ARISING FROM THE FRAUD, NEGLIGENCE, AND WILLFUL MISCONDUCT OF DEBTORS, SACKLER FAMILY AND AFFILIATES, AND THE GOVERNMENTAL AND CORPORATE ENTITIES WHO ENABLED THE OPIOID CRISIS

Comes now [redacted], a natural person and individual victim of the opioid crisis—an epidemic enabled by systemic changes to the healthcare system that allowed Purdue Pharma L.P. and its affiliates to promote and profit from the use of long-acting opioids in long-term opioid therapy. The same system now poised to continue profiting off victims through the legal maneuvering made in this case, and others.

This harm was not caused by isolated misconduct, but by the **systemic enablement of governmental and corporate entities**—including regulators and policymakers within the pharmaceutical, mental health, and healthcare industries. These entities created and sustained the conditions that allowed long-acting opioids to be routinely prescribed long-term, despite mounting evidence of the resulting devastation.

I therefore respectfully submit this **Motion for Full Satisfaction of Claim and Objection to Discharge of Personal Injury Claims Arising from the Fraud, Negligence, and Willful**

Misconduct of the Debtors, the Sackler Family, and the Governmental and Corporate Entities Who Enabled the Opioid Crisis.

This motion and objection is brought pursuant to:

- The **Supreme Court's June 27, 2024 ruling**, which invalidated nonconsensual third-party releases; and
- The doctrine of **"full satisfaction releases"**, which allow the discharge of creditor claims against non-debtors **only if those claims are fully paid**.

As the Supreme Court stated, "When a full-satisfaction release is included in a reorganization plan, the bankruptcy court exercises control over creditors' claims against non-debtors" (Opinion, p. 264). The Court made clear that if non-debtors like the Sacklers want release from civil liability, they must either: file for bankruptcy themselves, or pay claimants in full.

Given this, it is not in good faith to **ignore direct victims' repeated requests to effectively participate in mediation** and to ignore requests to contribute meaningfully in the shaping of policies that relate to the harms they personally endured from long-term prescribed opioid use to assist in correcting the harm done by the enablers. The process has instead favored governmental and institutional interests while excluding those most affected. The governmental institutions are supposed to represent the people but they have demonstrated a reluctance to consider input from victims unwilling to be controlled by a false narrative; that long-term opioid use is safe and the enablers can be trusted to implement solutions without meaningful input/participation on policies from victims with valuable life experience, outside the illegal drug sphere.

Furthermore, **the Bankruptcy Code does not allow the discharge of debts arising from fraud, willful misconduct, or negligence resulting in personal injury**. Yet this case continues to deny direct victims any meaningful opportunity to influence the resolution or the future policy safeguards needed to prevent further harm.

This case is not just about compensation, for victims. Bankruptcy usually concerns only money but this case is foundational to so much more. For this victim, it is about **justice, accountability, and the right to participate in the correction of a system that failed them.** For many of the enabling governmental and corporate agents, however, it appears to be about creating a self-feeding loop of chemical dependency to sustain a self-funding bureaucracy to profit—at the ongoing expense of those already harmed. The appearance of helping people, on the surface, gives many the illusion of addressing the crisis but for some of us, we see through all that because we did survive, by the Grace of God and our voices should not be nullified by legal manipulation and power plays.

I. SUMMARY OF ARGUMENT

For years, victims of the opioid epidemic were told that this bankruptcy case was too complex for ordinary individuals to understand—let alone participate in meaningfully. That same complexity was used to justify hundreds of millions of dollars in professional fees paid to elite bankruptcy attorneys and financial experts tasked with navigating what the Court itself described as one of the most complicated cases in bankruptcy history.

Governments stepped in, lawmakers created systems, and the victims have been effectively silenced as all the governmental enablers and institutional creditors came together with litigators to push through a plan using the argument that the Sackler "spend thrift trusts" were inaccessible and this was the best possible plan. Since the Supreme Court overruled certain foundational aspects of that plan, amazingly those funds became accessible but not for direct victims.

Yet when it comes to the victims—many of whom have endured addiction, trauma, the loss of loved ones, and financial devastation—we are told we must either accept the new plan as-is or pursue civil litigation on our own. This contradiction lies at the heart of this Motion: If the case was too complex for laypeople to participate in, how is it now fair to expect those same individuals to independently sue billionaires in court—without help, and without the resources that debtors and governmental entities have enjoyed throughout the process? These concerns should be addressed now, in this court, if justice is to be equitable.

Governmental agencies and institutional creditors claim to represent the interests of victims. Yet in practice, they have demonstrated little interest in listening to actual victims—unless those victims align with the preferred narrative of the same system that allowed the crisis to unfold.

The United States Supreme Court has ruled that nonconsensual third-party releases—like those previously granted to the Sackler family—are not authorized under the Bankruptcy Code. That decision restores the victims' right to pursue compensation directly from non-debtors and affirms the importance of meaningful, individual justice.

However, rather than revising the plan to reflect these legal realities in **Good Faith**, the new proposal effectively punishes victims who do not consent to the settlement. It withholds compensation from the PI Trust and diverts those funds to pay for the legal defense of the very parties who caused the harm. In essence, victims are now being forced to finance the protection of their own abusers—while being told to fend for themselves in separate civil litigation if they don't agree.

Justice demands more. Claims based on documented, long-term opioid use under medical supervision and the resulting personal injury must not be sidelined. It is unacceptable to negotiate exclusively with governmental and corporate enablers while excluding the voices of those directly harmed, with impunity. It is an injustice to not create a separate class for those victims who have entirely different circumstances from those who used illegal drugs.

This Motion asks the Court to reject any plan that discharges, diminishes, or defers personal injury claims grounded in proven fraud, deception, and willful misconduct by Purdue Pharma and those who aided and profited from its actions. The system must not be allowed to protect itself at the expense of those it has already harmed.

II. LEGAL BASIS: FRAUD AND NEGLIGENCE-BASED CLAIMS ARE NOT DISCHARGEABLE UNDER § 523(a)

Under **11 U.S.C. § 523(a)(2)** and **(a)(6)**, debts are **not dischargeable** if they are:

- Obtained by **false pretenses, false representation, or actual fraud,**
- Or for a **willful and malicious injury** by the debtor to another entity or to the property of another entity.

The harm caused by Purdue Pharma and its affiliates/executives—including the Sacklers—is well-documented and grounded in **deceptive marketing, false claims about the addictiveness of OxyContin and long-acting opioids in general,** and deliberate downplaying of medical risks to expand profits. The government agencies and healthcare/insurance professionals all participated in the policy changes that enabled the opioid crisis.

Additionally, these personal injury debts arise from **gross negligence, reckless conduct,** and in many cases, **knowing participation in unlawful promotion and distribution schemes**. The claims are not merely contractual—they are tort-based and represent significant personal suffering, death, and disability caused by willful corporate misconduct. To date there has been NO accountability to the governmental agencies and institutions who enabled the misconduct by the changes they made to policies that allowed their crimes.

As such, claims like mine are **not eligible for discharge** under bankruptcy law and must be **fully honored** unless the injured party voluntarily agrees to settle.

III. THE SUPREME COURT HAS INVALIDATED THE CORE STRUCTURE OF THIS PLAN

On June 27, 2024, the **United States Supreme Court ruled** that the nonconsensual third-party releases included in this bankruptcy plan—intended to shield the Sackler family from future lawsuits—**are not authorized by the Bankruptcy Code.**

That ruling fundamentally changed the legal foundation of the plan. The Court made clear that **if non-debtors like the Sacklers want release from civil liability, they must either:**

- **File for bankruptcy themselves**, or

- **Pay claimants in full.**

Neither of those conditions was met in this case. The Sacklers never filed for bankruptcy, and personal injury victims like myself are being offered only a fraction of the value of our claim to compensate for the direct harm. Therefore, **our claims must not be discharged, obstructed, or diminished**. And we must not be expected to go it on our own after all this time. That is a fundamental lack of **Good Faith** and is not intended to bring justice to victims but rather coerce them into agreeing to release their claims without adequate consideration or compensation.

This landmark decision strikes at the heart of the plan's legal foundation, which sought to shield the Sacklers from future civil liability **without requiring them to declare bankruptcy or provide full compensation to victims.**

With the Court's ruling, the legal and moral premise used to justify the foundations of the plan has collapsed. The right of victims to pursue litigation against non-debtors has been restored, but any plan that does not include a **viably feasible** path for victims, not agreeing to the plan, to seek compensation is not in good faith and should not **stand.**

Instead of considering the valid concerns of Direct victims and restructuring the plan to align with real justice, the current proposal doubles down on injustice. Victims are now told they can sue the Sacklers and other non-debtor enablers on their own—without any of the institutional support, legal infrastructure, or financial resources that the debtors and governmental entities have enjoyed for years, disregarding the complexity of the case.

Worse still, **the revised plan diverts funds from the Personal Injury (PI) Trust—intended to compensate victims—and uses those funds to finance the legal defense of the very people responsible for their suffering**. This egregious misuse of funds not only undermines the integrity of the bankruptcy process but compounds the original harm by forcing victims to bankroll the protection of their abusers.

After years of invoking complexity to justify exorbitant fees and exclusive control over negotiations, it is not only unreasonable but **profoundly unjust** to now expect those individuals—many of whom are emotionally, physically, and financially devastated—litigate against billionaires and institutions with bottomless legal resources.

This Court must acknowledge that the current plan rests on a morally invalid foundation, and that any effort to continue forward without addressing these fatal flaws would only perpetuate the same systemic abuse that led to the opioid crisis in the first place.

IV. IT IS NOT FAIR OR FEASIBLE TO SHIFT THE BURDEN TO INDIVIDUAL VICTIMS AFTER YEARS OF INEQUALITY

Victims were encouraged to rely on this process for justice. We were repeatedly told that this Court and its very "smart," expert professionals would fight for fairness on our behalf. Instead, the system prioritized **governments and institutions**, while real people—those who took prescribed opioids for years and experienced adverse side-effects, overdosed, lost children, suffered addiction, or buried family members—were treated as negligible claims on a spreadsheet. Their concerns were not even seriously considered to help prevent future victims!

Now that the previous plan has been legally overturned in part, victims are told: "Go sue on your own." But how? This is a coercive maneuver by the legal system to negate the rights of individuals personally injured by the actions of the Debtors and their governmental/corporate enablers. It demonstrates a profound lack of good faith because the need for highly paid, expert lawyers and other "smart" people has routinely been pointed out by this Court and the lawyers in charge of litigating this case.

This is not a fair remedy. It is a **punishment for surviving** and demanding justice.

VI. MY CLAIM IS VALID AND DOCUMENTED

I have over 15 years of receipts, prescriptions, and medical records demonstrating that I was prescribed and injured by prescribed opioids in combination with other prescribed drugs. My suffering is real. I am not a speculative victim or illegal drug addict—I am a living person whose health, finances, and family were directly harmed by **PRESCRIPTION DRUGS** and the system that enabled their long-term use.

My claim should not be discharged, diminished, or erased in the name of expediency or due to a flawed foundational structure.

VII. RELIEF REQUESTED

Accordingly, I respectfully request the Court to address these issues and move to provide justice:

1. **Reassess the plan structure** considering the Supreme Court's ruling invalidating nonconsensual third-party releases; and instruction that non-debtors must either file for bankruptcy or pay in full if they wish to avoid civil liability.

2. **Deny discharge of any personal injury claim** held by individuals arising from long-term opioid therapy due to the policy changes implemented by governmental agencies and corporate leaders in the medical/insurance industries that enabled Purdue Pharma's fraud, misrepresentation, willful misconduct, or negligence, consistent with **11 U.S.C. § 523(a)(2) and (a)(6);**

3. **Ensure that no victim is forced into litigation without assistance** or stripped of fair compensation due to procedural delays or unequal legal access;

4. **Hold a hearing** on whether victim claims are being equitably treated under any revised plan; and address the fact that victims have not been treated in Good Faith and instead have been routinely intimidated and reminded of all the "smart people" necessary to litigate this complex case.

5. And **recognize the inherent unfairness** of allowing the same professionals who deemed the case too complex for ordinary people to now demand we fend for ourselves in civil court after they have drained the estate and refused to seriously consider victim's input to make changes.

6. **Ensure that victims are not punished** for relying on a bankruptcy process that promised fairness and justice but delivered coercion and inequity; and

7. **Affirm the rights of natural persons personally injured** by this system to obtain full and fair compensation without procedural obstruction or legal disadvantage.

8. **Require governmental agencies, and others, receiving funds from the Opioid Trusts,** tasked with creating policies and implementing them, to provide MEANINGFUL opportunities to participate, at high levels, to correct the narrative and reflect the reality of what is really going on, namely PHARMAKIA.

VII. CONCLUSION

The moral issue to include victims in addressing the opioid crisis has always been clear, albeit very muddied by the illusions of inclusion. This plan does NOT address the foundational policy changes that were made to the overall Healthcare System in this country and if remedies are not addressed, it will indemnify the fraudulent behavior of the System and allow it to continue harming people with impunity. Personal injury victims like myself deserve real justice, not a false choice between silence and impossible litigation.

Respectfully submitted, retaining all rights, without prejudice, under the sovereignty of the Constitution of the United States,

[redacted]

[redacted]

CERTIFICATE OF SERVICE

[redacted], INDIVIDUAL Pro Se Claimant, certify that the above referenced document was presented by email on May 10, 2025, to the following and by mail to the Court:

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