United States Senate

SPECIAL COMMITTEE ON AGING
WASHINGTON, DC 20510–6400
(202) 224–5364

November 4, 2015

Mr. Martin Shkreli
Chief Executive Officer
Turing Pharmaceuticals LLC
1177 Avenue of the Americas, 39th Floor
New York, NY 10036

Dear Mr. Shkreli:

The United States Senate Special Committee on Aging is conducting an investigation into the pricing of off-patent drugs in certain circumstances. We seek your cooperation with this investigation so that the Committee may better understand drug pricing and related regulatory and public policy concerns.

In particular, the Committee wishes to learn more about Turing Pharmaceuticals' recent acquisition of the rights to sell Daraprim, a drug used to treat and prevent infections, from Impax Laboratories and Turing's subsequent decision to increase the price of Daraprim from $13.50 per tablet to $750.00.

In order to assist us in our investigation, we ask that you provide us with the documents set forth in Schedule A and the information set forth in Schedule B by December 2, 2015. Please submit the material responsive to this request as it becomes available, rather than waiting to provide it all at once. In order to facilitate this production, we request that you schedule a time to meet and confer on the Request with Committee Staff as soon as it is practicable for you to do so.

The jurisdiction of the Special Committee on Aging is set forth in Section 104 of S. Res. 4, agreed to February 4, 1977.

We appreciate your attention to this matter. Should you have any questions, please do not hesitate to have your staff contact Samuel Dewey of the Majority Staff at (202) 224-2798, or Cathy Yu of the Minority Staff at (202) 224-7752. Please direct all official correspondence to the Committee's Chief Clerk, Matt Lawrence, at Matt_Lawrence@aging.senate.gov.

Sincerely,

Susan M. Collins
Chairman
U.S. Senate Special Committee on Aging

Claire McCaskill
Ranking Member
U.S. Senate Special Committee on Aging

Mr. Martin Shkreli
Chief Executive Officer
Turing Pharmaceuticals LLC
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SCHEDULE A

1. Any analysis conducted by Turing relating to the price of Daraprim.

2. Any analysis in Turing's possession, custody, or control relating to the price of Daraprim; exclusive of documents responsive to Schedule A, Specification 1, herein.

3. Any communications with Turing's Board of Directors relating to Daraprim.

4. Any documents generated by the Turing Board of Directors relating to Daraprim.

5. Any projected or historical financial data relating to Daraprim, including, but not limited to, costs, revenues, profits, losses, and cash flows.

6. Any projected or historical financial data relating to Turing's research and development, including, but not limited to, research and development relating to Daraprim.

7. Any documents evaluating any product market that includes, directly or indirectly, Daraprim, regardless of the definition of the geographic market, including, but not limited to, analysis of barriers to entry thereto.

8. Any documents evaluating any market share that includes Daraprim, or the market power of that market share, for any product market or geographic market; exclusive of documents responsive to Schedule A, Specification 7, herein.

9. Any communications with Impax relating to Daraprim.

10. Any documents relating to Impax's sale of Daraprim to Turing.

11. Any contracts entered into by Turing that are related to the production, marketing, and sale of Daraprim.

12. Any marketing or pricing plans prepared for, or being used in, the sale or advertisement of Daraprim, including all documents related thereto.

13. Any documents relating to Patient Assistance Programs relating to Daraprim.

14. Any documents relating to Daraprim and Imprimis.

15. Any documents relating to the price of Daraprim that have been produced pursuant to an investigative inquiry by any federal, state, or local government entity.

16. Any analysis relating to Daraprim and any statute or regulation administered by the FDA.

17. Any communications with the FDA relating to Daraprim; exclusive of documents responsive to Schedule A, Specifications 15 or 16, herein.

18. Any documents relating to Daraprim and the Health Resources and Services Administration's 340B Drug Discount Program; exclusive of documents responsive to Schedule A, Specifications 13, 16, or 17, herein.

19. Any projected or historical financial data related to Daraprim and Medicare or Medicaid; exclusive of documents responsive to Schedule A, Specifications 5, 6, or 15–18, herein.

20. Any documents notating, memorializing, or summarizing a communication, or a portion thereof, responsive to Schedule A, Specifications 3, 9, or 17, herein.

Mr. Martin Shkreli
Chief Executive Officer
Turing Pharmaceuticals LLC
1177 Avenue of the Americas, 39th Floor
New York, NY 10036

SCHEDULE B

1. State:

   a. A list of all countries where Daraprim is sold (or is expected to be sold in the next two years from the date of this letter) and the corresponding price or planned price for each country.

   b. In detail, how Turing reached the price for each country.

   c. How the revenue, costs, and any discounts associated with international sales are accounted for within Turing.

2. State in detail any changes Turing has made, or plans to make, to Daraprim or the administration of the drug.

3. Identify the Turing employee responsible for setting the price of Daraprim.

4. Identify the names and addresses of all companies owned in whole or in part by Turing that are involved in the production, marketing, and sale of Daraprim and any of its components.

5. State the total expense to Turing related to the acquisition of Daraprim.

6. State in detail all known uses of Daraprim by medical professionals, including both on-label and off-label uses.

7. State in detail all known protocols, of which Daraprim is a component, used by medical professionals, including both on-label and off-label uses.

8. For each discrete communication that did not occur via document, but which would have been responsive to Specifications 1–19 of Schedule A if made via document, state:

   (a) The method of communication.
   (b) The date and time of the communication.
   (c) The author and addressee of the communication.
   (d) The relationship of the author and addressee to each other.
   (e) A general description of the communication.

   Information responsive to this question should be produced in a native Excel file.