

Attachment 4 to Deferred Prosecution Agreement
United States v. McKinsey & Company, Inc. United States

Information

CLERKS OFFICE U.S. DIST. COURT
AT ABINGDON, VA
FILED

December 13, 2024

LAURA A. AUSTIN, CLERK
BY: s/ FELICIA CLARK
DEPUTY CLERK

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ABINGDON**

UNITED STATES OF AMERICA)
)
 v.) **Criminal No. 1:24CR46**
)
 MCKINSEY & COMPANY, INC.)
 UNITED STATES)

INFORMATION

The United States Attorney for the Western District of Virginia and the United States Attorney for the District of Massachusetts charge that:

COUNT ONE

1. Paragraphs 1 through 209 of the Agreed Statement of Facts are realleged and incorporated by reference.

2. OxyContin, a Schedule II controlled substance, is a prescription drug intended for use by man which is limited by an approved application under 21 U.S.C. § 355 to use under the professional supervision of a practitioner licensed by law to administer such drug and can only legally be dispensed upon a written prescription issued for a legitimate medical purpose by a practitioner, licensed by law to administer such drug, acting in the usual course of the practitioner’s professional practice. Dispensing OxyContin pursuant to an invalid prescription (e.g., a prescription issued not for a legitimate medical purpose) is an act which results in the drug being misbranded while held for sale.

3. From in or about April 2012 through February 2018, in the Western

Exhibit A (Attachment 4) to Agreed Order Compelling Compliance
In re: McKinsey & Company, Inc.

District of Virginia, the District of Massachusetts, and elsewhere, MCKINSEY & COMPANY, INC. UNITED STATES knowingly and intentionally conspired with Purdue Pharma L.P. and others to aid and abet the misbranding of prescription drugs, held for sale after shipment in interstate commerce, without valid prescriptions, in violation of 21 U.S.C. §§ 331(k), 333(a)(1), 353(b)(1), and 18 U.S.C. § 2.

4. To effect the object of the conspiracy, the conspirators did numerous acts, including, but not limited to, some of the acts set forth in Paragraphs 84 through 173 of the Agreed Statement of Facts.

5. All in violation of 18 U.S.C. § 371.

COUNT TWO

1. Paragraphs 1 through 209 of the Agreed Statement of Facts are realleged and incorporated by reference.

2. In or about or between April 2018 and September 2018, MCKINSEY & COMPANY, INC. UNITED STATES, through the acts of a senior partner, knowingly destroyed and concealed records and documents with the intent to impede, obstruct, and influence the investigation and proper administration of a matter within the jurisdiction of any department or agency of the United States and in relation to and contemplation of any such matter.


3. All in violation of 18 U.S.C. § 1519.

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ENTERED this 13th day of December, 2024.


The United States Attorney's Office for the Western District of Virginia:

BY: 


Christopher R. Kavanaugh
United States Attorney



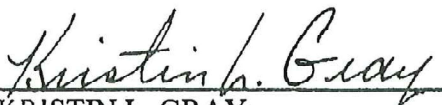
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KRISTIN L. GRAY
Special Assistant United States Attorney
Assistant Attorney General
Medicaid Fraud Control Unit
Virginia Office of the Attorney General

The United States Attorney's Office for the District of Massachusetts:

BY: 

Joshua S. Levy
United States Attorney



AMANDA MASSELAM STRACHAN
Chief, Criminal Division

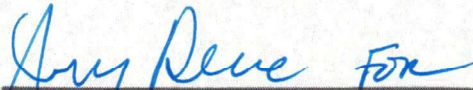


WILLIAM B. BRADY
Assistant United States Attorney


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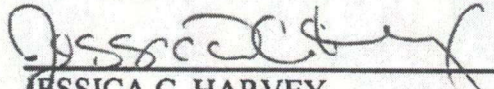
The United States Department of Justice, Consumer Protection Branch:

BY: 


Amanda N. Liskamm
Director



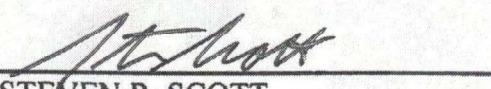
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Deputy Director, Criminal



JESSICA C. HARVEY
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STEVEN R. SCOTT
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