

PITTSBURGH TRIBUNE-REVIEW

POSITIVE SIGN Steelers receiver Brown shows up for offseason workout **C3**

BARBECUE FOR THE CREW Catering to oil, gas industry workers pays off for eatery **B8**

Mylan rejects Teva's \$40 billion takeover bid

Top executive blasts Israeli company as 'poorly run,' says offer falls far short of serious opening bid

BY ALEX NIXON

Mylan NV's top executive described Teva Pharmaceutical Industries Ltd. as "dysfunctional and poorly run" on Monday in a harshly worded rejection of the Israeli drug-

maker's \$40 billion unsolicited takeover offer.

Executive Chairman Robert Coury said Teva's cash and stock offer of \$82 a share "grossly undervalues Mylan" but he left the door open to a deal, saying that a serious

starting bid would be "significantly in excess of \$100 per share."

Coury's 3,200-word letter to Teva CEO Erez Vigodman laid out reasons the proposed deal wouldn't work, including what he said has been a history at Teva of poor performance, flipping strategies and an inability to effectively integrate acquisitions.

"This challenged culture at Teva is, we believe, a direct result of a board of directors that refuses to change, lacks adequate global pharmaceutical experience and consistently meddles in company operations," Coury wrote.

"This is the same board that was described as 'like a nuthouse' by an investor," he said, referring to a quote in a



"We do not wish to make Teva's problems Mylan's problems," Coury said.

Bloomberg News report last year.

The letter, Mylan's first public response since Teva

said it was interested in buying the company a week ago, was unusual in the world of corporate deal making for the way it admonished Teva while outlining why the offer wasn't financially appealing.

"That's one of the more colorful rejection letters you're going to come across," said Jeffrey Loo, an analyst at S&P

MYLAN • A5

Baltimore turmoil escalates

State of emergency in effect; 15 officers injured; family, officials urge calm

ASSOCIATED PRESS

BALTIMORE — Rioters plunged part of Baltimore into chaos Monday, torching a pharmacy, setting police cars ablaze and throwing bricks at officers as thousands mourned the man who died from a severe spinal injury he suffered in police custody.

The governor declared a state of emergency and called in the National Guard to restore order.

A weeklong, daily curfew was imposed beginning Tuesday from 10 p.m. to 5 a.m., the mayor said.

At least 15 officers were injured, and about two dozen people were arrested. Two officers remained hospitalized, police said.



Baltimore police officers carry a wounded colleague from the streets.

Officers wearing helmets and wielding shields at times used pepper spray to keep the rioters back. For the most part, though, they relied on line formations to keep protesters at bay.

The riot was the latest flare-up over the mysterious death of Freddie Gray, whose fatal encounter with officers occurred amid the national debate over police use of force, especially when black suspects are involved. Gray was black.

Police have declined to specify

the races of the six officers involved in his arrest, all of whom have been suspended with pay while under investigation.

Emergency officials were constantly thwarted as they tried to restore calm. Firefighters trying to put out a blaze at a CVS store were hindered by someone who sliced holes in a hose connected to a fire hydrant, spraying water all over the street and nearby buildings.

The smell of burned rubber

wafted in the air in one neighborhood where youths were looting a liquor store. Police stood still nearby as people drank looted alcohol. Glass and trash littered the streets, and small fires were scattered. One person from a church tried to shout something from a megaphone as two cars burned.

"Too many people have spent generations building up this city for it to be destroyed by thugs, who in a very senseless way are

BALTIMORE • A4

AG Kane leaked, then lied, jury says

Presentment of its findings released; no word on charges

BY BRAD BUMSTED

NORRISTOWN — Attorney General Kathleen Kane lied to a grand jury investigating her and tried to cover up her directive to release secret material to a Philadelphia newspaper last year, according to the grand jury's presentment made public Monday.

"We find that the testimony of Attorney General Kane was not an honest account of the events, and she mischaracterized events to cover up activities undertaken at her direction to unlawfully release documents subject to grand jury secrecy," the panel concluded.

Kane, who testified to the Norristown grand jury in November, has said she did not break any laws.

Her spokesman, Chuck Ardo, said Kane "remains committed to serving out her term and looks forward to clearing her name." He said she testified truthfully.

But the grand jury said it compared her testimony with that of other witnesses and "did not find her testimony truthful, while intending to divert attention from her actual role as the principal of the leak," according to the grand jury.

"I will stand by her and vigorously defend her every step of the way," said Pennsylvania Democratic Party Chairman Jim Burn of Millvale. He said the presentment "is not evidence" and that Kane "deserves the chance to tell her side of the story."

Senate Republican spokeswoman Jennifer Kocher said the caucus would not comment "in order to preserve our role as adjudicators, should the House ever choose to move forward with impeachment proceedings."

House Republicans were reviewing the matter and had no comment, spokesman Stephen Miskin said.

The grand jury said Kane used her



Kane lied "to divert attention from her actual role as the principal of the leak," according to the grand jury.

KANE • A4

Pa. officials push for arbitration

Wolf, Kane accuse Highmark, UPMC of violating decree

BY ADAM SMELTZ

A state court should force rivals Highmark Inc. and UPMC into binding arbitration to resolve bitter disputes that have left Western Pennsylvanians confused and angry over their access to health care, Gov. Tom Wolf and Attorney General Kathleen Kane said Monday.

In a joint motion in Commonwealth Court, the Wolf administration and Kane accused both Downton-based companies of breaking a state-brokered consent decree they signed in June. UPMC violated the terms most recently when it chose to block in-network access for Highmark's Medicare Advantage customers starting in 2016, state attorneys wrote.

"Frustration" is the word that's printable in a family newspaper to describe our view of these guys," said James Donahue, executive deputy attorney general for public protection, referring to

both companies. Highmark said it welcomes enforcement of the agreement while UPMC questioned the demand for arbitration.

The companies have "blown through" at least seven deadlines for agreements meant to help patients navigate the dissolving relationship between the groups, Donahue said. "I don't know, on balance, if one is more wrong than the other."

A longstanding contract that gave Highmark insurance customers in-network access to UPMC doctors and hospitals expired Dec. 31. That left the consent decree to smooth the transition with extended UPMC access for treatment of certain medical conditions, among other provisions.

Yet the companies have clashed over how to interpret the agreement. In one instance, they fought in January over dozens of claims for children undergoing care at UPMC.

UPMC this month announced plans to sever in-network access for about 182,000 seniors enrolled in

DISPUTE • A4



WAITING FOR HELP

A man and his child, victims of the earthquake in Nepal, wait for an ambulance Monday at the Kathmandu airport. Officials in villages near the quake's epicenter have started pleading for food and medicine. **Story, A3**

Obamacare contraception ruling thrown out

Ohio judges should revisit challenge to mandate in light of Hobby Lobby decision, high court says

WIRE AND STAFF REPORTS

WASHINGTON — The Supreme Court on Monday revived religious objections by Roman Catholic groups in Michigan and Tennessee to the Obamacare requirement for contraception coverage,

throwing out a lower court decision that favored the Obama administration.

The justices asked the Cincinnati-based 6th U.S. Circuit Court of Appeals to reconsider its decision that backed the Obama administration in light of the Supreme Court's ruling

in June that allowed certain privately owned corporations to seek exemptions from the provision.

The health care law, known as Obamacare, requires employers to provide health insurance policies that cover preventive services for women, including access to contraception and sterilization.

Various challengers — including family-owned compa-

nies and religious affiliated nonprofits that oppose abortion and sometimes the use of contraceptives — say the requirement infringes on their religious beliefs.

Religious freedom groups cheered the court's decision.

The Becket Fund for Religious Liberty, which filed an amicus brief in the case, called

CONTRACEPTION • A5