



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: OPIOID LITIGATION

Civil Action No. 19-C-9000

THIS DOCUMENT APPLIES TO:

CITY OF CLARKSBURG, WEST VIRGINIA,

et al.

Plaintiffs,

v.

ALLERGAN PLC FKA ACTAVIS PLC
FKA ALLERGAN INC., et al.

Defendants,

Civil Action Nos. 19-C-259 MSH
Through 19-C-266 MSH

TOWN OF MADISON, WEST VIRGINIA

Plaintiff,

v.

ALLERGAN PLC FKA ACTAVIS PLC
FKA ALLERGAN INC., et al.

Defendants,

Civil Action No. 20-C-31 MSH

TOWN OF STAR CITY, WEST VIRGINIA,

et al.

Plaintiffs,

v.

ALLERGAN PLC FKA ACTAVIS PLC
FKA ALLERGAN INC., et al.

Defendants.

Civil Action Nos. 20-C-52 MSH
Through 20-C-54 MSH

ORDER GRANTING PLAINTIFFS' RULE 41(a)(2)
MOTION TO DISMISS CERTAIN CLAIMS

Pending before the Court is Plaintiffs¹ motion to dismiss all claims for relief with the express exception of their equitable claims for public nuisance (Transaction ID 66936056). Plaintiffs expressly preserve their equitable public nuisance claims and all attendant equitable remedies.

Accordingly, it is hereby **ORDERED** that Plaintiffs' Rule 41(a)(2) Motion to Dismiss Certain Claims without prejudice is **GRANTED**; and

All claims for relief for these Plaintiffs with the express exception of these Plaintiff's equitable claims for public nuisance are hereby dismissed without prejudice.

Plaintiffs' remaining claims will be scheduled for a bench trial at a date and time to be determined.

A copy of this Order has this day been electronically served on all counsel of record via File & ServeXpress.

It is so **ORDERED**.

ENTERED: September 16, 2021.

/s/ Alan D. Moats
Lead Presiding Judge
Opioid Litigation

/s/ Derek C. Swope
Presiding Judge
Opioid Litigation

¹ "Plaintiffs" are City of Clarksburg (19-C-259 MSH), City of Nitro (19-C-260 MSH), City of Richwood (19-C-261 MSH), City of South Charleston (19-C-262 MSH), City of White Sulphur Springs (19-C-263 MSH), Town of Belle (19-C-264 MSH), Town of Ceredo (19-C-265 MSH), Town of Chesapeake (19-C-266 MSH), Town of Madison (20-C-31 MSH), Town of Star City (20-C-52 MSH), County of Pendleton (20-C-53 MSH), and Town of Romney (20-C-54 MSH).