



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: OPIOID LITIGATION

Civil Action No. 19-C-9000

THIS DOCUMENT APPLIES TO:

**THE COUNTY COMMISSION OF
MASON COUNTY, et al.**

v.

Civil Action No. 19-C-4 MSH to 19-C-9 MSH

PURDUE PHARMA, LP., et al.

**MAYOR PEGGY KNOTTS BARNEY, ON BEHALF OF
CITY OF GRAFTON**

v.

Civil Action Nos. 19-C-151MSH and 19-C-152MSH

PURDUE PHARMA, LP., et al.

**MAYOR ELMER RAY SPENCE ON BEHALF OF
THE TOWN OF DELBARTON, et al.**

v.

Civil Action Nos. 20-C-16 MSH to 20-C-25 MSH

CARDINAL HEALTH, INC, et al.

**THE COUNTY COMMISSION
OF GRANT COUNTY, et al**

v.

Civil Action Nos. 20-C-79 MSH to 20-C-81 MSH

CARDINAL HEALTH, INC., et al.

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

Pending before the Court is Plaintiffs'¹ motion to dismiss all claims for relief with the express exception of their equitable claims for public nuisance (Transaction ID 66939588). 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 Plaintiffs' 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 & Serve*Xpress*.

ENTERED: September 17, 2021.

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

/s/ Derek C. Swope
Presiding Judge
Opioid Litigation

¹ "Plaintiffs" include Mason County (19-C-4 MSH), Barbour County (19-C-5 MSH), Village of Barboursville (19-C-6 MSH), Taylor County (19-C-7 MSH), Webster County, (19-C-8 MSH) Town of Addison (19-C-9 MSH), City of Grafton (19-C-151 MSH), City of Philippi (19-C-152 MSH), Town of Delbarton (20-C-16 MSH), Tucker County (20-C-17 MSH), Hardy County (20-C-18 MSH), Town of Matewan (20-C-19 MSH), City of Mullens (20-C-20 MSH), Town of Oceana (20-C-21 MSH), Preston County (20-C-22 MSH), Town of Belington(20-C-23 MSH), City of Point Pleasant (20-C-24 MSH), Town of Junior (20-C-25 MSH), Grant County(20-C-79 MSH), Mineral County (20-C-80 MSH) and Monroe County(20-C-81 MSH).