



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: OPIOID LITIGATION

Civil Action No. 19-C-9000

THIS DOCUMENT APPLIES TO ALL CASES

**ORDER HOLDING IN ABEYANCE DEFENDANTS' MOTION TO COMPEL
RULE 30(b)(7) DEPOSITIONS OF PLAINTIFFS**

This matter comes before the Discovery Commissioner on Defendants' Motion to Compel Rule 30(b)(7) Depositions of Plaintiffs (Transaction ID 66022307). Having considered the motion, responses, and the arguments of counsel the Discovery Commissioner finds that the Plaintiffs have agreed to produce an individual from each Plaintiff for a Rule 30(b)(7) deposition pursuant to the West Virginia Rules of Civil Procedure. The Discovery Commissioner further finds that any limitations referred to in the parties' exhibits provided in the briefing are not preconditions to Rule 30(b)(7) depositions, but rather, proposed limitations which may be negotiated for inclusion in a Case Management Order. The failure of the parties to agree to a deposition protocol in the Case Management Order shall not preclude a deposition from taking place. Further the Discovery Commissioner notes that Plaintiffs' have filed objections to numerous noticed topics of examination but indicate counsel continue to meet and confer on this issue, therefore no decision on these objections will be ruled upon at this time, if an agreement cannot be reached a supervised meet and confer will be scheduled.

Accordingly, the Discovery Commissioner hereby **Holds** the motion in **ABEYANCE**.

The parties are hereby **ORDERED** to continue to meet and confer in an effort to work out the details of a deposition protocol and Plaintiffs' objections to the topics of inquiry of the Rule 30(b)(7) depositions. **IT IS SO ORDERED.**

Enter: October 30, 2020

/s/ Christopher C. Wilkes
Discovery Commissioner