

FILED

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA

2019 JUN 14 PM 4:22

JOHN H. HOOKER

Monongalia County Commission, Marion  
County Commission, Doddridge County  
Commission, Randolph County Commission,  
and Upshur County Commission,

Plaintiffs,

v.

Marshall County Civil Action Nos. 18-C-222,  
18-C-233, 18-C-234, 18-C-235, and 18-C-236

Purdue Pharma, L.P.; Purdue Pharma, Inc.;  
The Purdue Frederick Company, Inc.;  
Mark Radcliffe; Mark Ross; Patty Carnes;  
Teva Pharmaceuticals USA, Inc.; Cephalon, Inc.;  
Janssen Pharmaceuticals, Inc.; Ortho McNeil-Janssen  
Pharmaceuticals, Inc., n/k/a Janssen Pharmaceuticals, Inc.;  
Johnson & Johnson; Endo Health Solutions Inc.; Endo  
Pharmaceuticals, Inc.; Actavis plc; Actavis, Inc.;  
Actavis LLC; Actavis Pharma, Inc.; Watson  
Pharmaceuticals, Inc.; Watson Pharma, Inc.;  
Watson Laboratories, Inc.; McKesson Corporation;  
Cardinal Health, Inc.; AmerisourceBergen Drug  
Corporation; Rite Aid of Maryland, Inc.; Kroger  
Limited Partnership II; CVS Indiana, L.L.C.;  
Wal-Mart Stores East, LP; Goodwin Drug  
Company; Miami-Luken, Inc.; John Does 1-3;  
West Virginia Board of Pharmacy; David Potters;  
Tressie Montene Duffy, M.D.; Eugenio Aldea  
Menez, M.D.; Scott James Feathers, D.P.M.;  
Amy Lynn Beaver, P.A.-C; and Carl N. Hooker, M.D.,

Defendants.

**ORDER ASSIGNING JUDGES, TRANSFERRING CIVIL ACTIONS TO THE  
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA, AND DESIGNATING  
LITIGATION FOR ELECTRONIC FILING AND SERVICE**

On June 7, 2019, Chief Justice Elizabeth D. Walker Ordered, "pursuant to Rule 26.06(c)(3) of the West Virginia Trial Court Rules, that the motion to refer to the Mass Litigation Panel the civil actions identified in said motion be, and hereby is GRANTED, and all civil actions involving the same or similar common questions of law or fact at issue in the above-referenced civil actions are to be transferred to the Mass Litigation Panel for further proceedings."

The following civil actions were identified in the Motion to Refer:

1. *Monongalia County Commission, et al. v. Purdue Pharma L.P., et al.*, Marshall County Civil Action Nos. 18-C-222, 18-C-233, 18-C-234, 18-C-235 and 18-C-236;
2. *Brooke County Commission, et al. v. Purdue Pharma L.P., et al.*, Marshall County Civil Action Nos. 17-C-248, 17-C-249, 17-C-250, 17-C-251, 17-C-252, 17-C-253, 17-C-254 and 17-C-255; and
3. *The County Commission of Mason County, et al. v. Purdue Pharma L.P., et al.*, Marshall County Civil Action Nos. 19-C-4, 19-C-5, 19-C-6, 19-C-7, 19-C-8, 19-C-9.

With the advice and consent of the Panel, the following judges are assigned to this litigation:

Lead Presiding Judge	The Honorable Alan D. Moats
Presiding Judge	The Honorable Derek C. Swope
Presiding Judge	The Honorable Jack Alsop
Lead Resolution Judge	The Honorable Joanna I. Tabit
Resolution Judge	The Honorable Jay M. Hoke
Resolution Judge	The Honorable Christopher J. McCarthy

Pursuant to West Virginia Trial Court Rule 26.08(b), and with the advice and consent of the Panel, it is **ORDERED** that all civil actions identified in the Administrative Order entered on June 7, 2019, by Chief Justice Walker are transferred to the Circuit Court of Kanawha County, West Virginia. The style of this litigation will be “*In re: Opioid Litigation*, Civil Action No. 19-C-9000.”

The Panel has determined it is appropriate for the Opioid Litigation to be subject to electronic filing and service (“e-filing and service”) in the Circuit Court of Kanawha County, West Virginia. Pursuant to West Virginia Trial Court Rule 15.02(c), the Panel **ORDERS** all civil actions in the Opioid Litigation to be subject to e-filing and service **beginning on July 1,**

2019, as provided in Trial Court Rule 15.01 *et seq.*

All paper court files are **ORDERED** to be retained in the clerk's office in the circuit court where any civil action subject to this Order is currently pending, subject to further order of the Court. All documents filed prior to July 1, 2019, any oversized documents that cannot be electronically filed, and any documents the Court orders to be placed under seal are **ORDERED** to be filed traditionally in the clerk's office of the circuit court where the paper file is retained.

Registration and training for e-filing and service is **mandatory**. If a party is not registered with File & Serve*Xpress* by July 1, 2019, the party will not receive e-service of documents in the Opioid Litigation. Even if a party has registered and received training for e-filing and service in other Mass Litigation cases, there will be specific training for e-filing and service in the Opioid Litigation that all parties must receive. Communications will be forthcoming from File & Serve*Xpress* regarding registration and training, but the **File & Serve*Xpress* Customer Service Department** may be reached at **1-888-529-7587**.

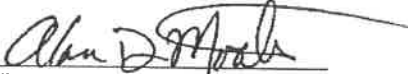
Pursuant to Trial Court Rule 15.02(b), e-filing and service shall not be used to initiate a civil action or to serve a new party with an amended complaint or a third-party complaint.

A status and scheduling conference will be scheduled by separate order. The parties are **ORDERED** to submit a report to Lead Presiding Judge Alan D. Moats and to the Mass Litigation Manager **no later than July 1, 2019**, setting forth their knowledge of other pending civil actions involving the same or similar common questions of law or fact at issue that should be transferred to the Mass Litigation Panel pursuant to the Administrative Order entered on June 7, 2019, by Chief Justice Walker.

The Clerk of the Circuit Court of Marshall County, West Virginia, is **ORDERED** to file this Order, and to provide a copy of this Order to all counsel of record, any *pro se* litigants, and to the Mass Litigation Manager.

It is so **ORDERED**.

**ENTERED:** June 14, 2019.

  
The Honorable Alan D. Moats  
Chair, Mass Litigation Panel

A Copy Teste:

Joseph M. Rucki, **Clerk**

By Donna Crum Deputy