



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: OPIOID LITIGATION

Civil Action No. 19-C-9000

THIS DOCUMENT APPLIES TO:

**MAYOR PEGGY KNOTTS BARNEY, ON
BEHALF OF THE CITY OF GRAFTON, and
MAYOR PHILIP BOWERS, ON BEHALF
OF THE CITY OF PHILIPPI,**

Plaintiffs,

v.

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

PURDUE PHARMA, L.P., et al.,

Defendants.

and

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

Plaintiffs,

v.

**Civil Action Nos. 19-C-4 MSH
19-C-5 MSH
19-C-6 MSH
19-C-7 MSH
19-C-8 MSH
19-C-9 MSH**

PURDUE PHARMA, L.P., et al.,

Defendants.

**ORDER CONTINUING DEADLINES FOR FILING
RESPONSES AND REPLIES TO RECENTLY-FILED MOTIONS**

Pending before the Court is *Plaintiffs' Motion to Continue Deadlines for Filing Responses and Replies to Recently-Filed Motions* (Transaction ID 64472738) filed on November 27, 2019. Plaintiffs move the Court to continue, by seven (7) calendar days, the response and reply deadlines for the following motions:

Filings In: Mason County, et al (19-C-4 through 19-C-9) and Grafton (19-C-151&152)

A. Manufacturers' Joint Motion to Dismiss for Failure to State a Claim. Filed on 11/20/19. Transaction ID 64450193.

B. Teva Pharmaceuticals USA, Inc. and Cephalon, Inc.'s Partial Motion to Dismiss Complaints for Failure to State a Claim for Relief. Filed on 11/20/2019. Transaction ID 64449932.

C. Defendant Watson Laboratories Inc, Actavis Pharma, Inc. f/k/a Watson Pharma, Inc. and Activas LLC's Motion to Dismiss. Filed on 11/20/19. Transaction ID 64450968.

D. Defendants Mallinckrodt LLC and Mallinckrodt Enterprises LLC's Motion to Dismiss Plaintiffs' Complaints for Failure to State a Claim. Filed on 11/20/19. Transaction ID 64450854.

E. Any other dispositive motions not listed above which have been filed by Defendants pursuant to the Court's time frame for the filing of such motion.

Filings In: Mason County, et al (19-C-4 through 19-C-9)

A. Defendants Rite Aid of Maryland, Inc. and Wal-Mart Stores East, LP's Motion to Dismiss Plaintiffs' Complaint. Filed on 11/20/2019. Transaction ID 64448228.

B. Amerisourcebergen Drug Company, Cardinal Health, Inc. and McKesson Corporation's Motion to Dismiss Plaintiffs' Complaint. Filed on 11/20/19. Transaction ID 64450518.

C. Distributor Defendants Motion to Dismiss Plaintiffs' Complaint. Filed on 11/20/119. Transaction ID 63546607.

D. Specially Appearing Teva Pharmaceuticals Industries Ltd.'s Motion to Dismiss the Complaint for Insufficient Service of Process and Lack of Personal Jurisdiction. Filed on 11/20/119. Transaction ID 64469444.

E. Any other dispositive motions not listed above which have been filed by Defendants pursuant to the Court's time frame for the filing of such motion.

Filings In: Grafton, et al (19-C-151 & 152)

A. Defendants Rite Aid of Maryland, Inc. and Wal-Mart Stores East, LP's Motion to Dismiss Plaintiffs' Complaint. Filed on 11/20/19. Transaction ID 64449482.

B. Defendant H.D. Smith, LLC f/k/a H. D. Smith Wholesaler Drug Co.'s Answer to Complaint. Filed on 11/20/19. Transaction ID 64449448.

C. McKesson Corporation's Motion to Dismiss Plaintiff's Complaint. Filed on 11/20/19. Transaction ID 64450590.

D. Any other dispositive motions not listed above which have been filed by Defendants pursuant to the Court's time frame for the filing of such motion.

In support of their motion, the Plaintiffs asserted that the Thanksgiving Holiday had created a significant burden on Plaintiffs' counsel who must review all of the aforementioned filings and formulate responses to same when their offices are closed and they and their staff are, in many instances, out of town with family over the Holiday break. The Plaintiffs further asserted that the requested extensions would not result in any prejudice to any party given that the Defendants would receive the very same 7-day extension granted to the Plaintiffs and also given that none of the aforementioned motions have yet been set for hearing.

Having given mature consideration to the request for these 7-day extensions and finding that: (a) no prejudice to any party will result from the extensions; and (b) just cause exists to grant the requested extensions, the Court does hereby **GRANT** the motion to extend these deadlines. The Court **ORDERS** the new deadline for the Plaintiffs' response to the aforementioned motions shall be December 11, 2019, and the new deadline for the Defendants' replies to the Plaintiffs' responses shall be December 26, 2019.

A copy of this Order has been electronically served on all counsel of record this day.

It is so **ORDERED**.

ENTERED: December 2, 2019.

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