



**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 REGARDING CONFIDENTIALITY OF THE MEDIATION PROCESS**

The Resolution Judges have learned that details of the confidential mediation conducted on February 26 and 27, 2020, were provided to the news media in violation of the Court's *Order Convening Early Mediation* (Transaction ID 64589550). Paragraph 8 of the Order states that, "Any written statement or discussion regarding mediation is confidential; shall not be used in the present litigation or in any other litigation (whether presently pending or filed in the future); and shall not be construed as or constitute an admission. Breach of this provision shall subject the violator to sanctions."

The Court **ADMONISHES** all parties and counsel who participate in mediation conducted by the Resolution Judges, that the mediation process is **CONFIDENTIAL**. The Court **ORDERS** that, henceforth, there shall be no communication with anyone outside of the mediation process, including the news media, regarding any written statement or discussion concerning mediation, including settlement demands, offers, or positions of any party.

A copy of this Order has been electronically served on all counsel of record this day via File & ServeXpress. Plaintiffs' Liaison Counsel is directed to provide a copy of this Order to lead trial counsel for the West Virginia Plaintiffs in MDL 2804 immediately.

It is so **ORDERED**.

**ENTER:** March 2, 2020.

/s/ Joanna I. Tabit  
Lead Resolution Judge  
Opioid Litigation