



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 PROCEDURE FOR THIRD-PARTY DISCOVERY DISPUTES

As an initial matter, the Court notes that all discovery disputes have been referred to the Discovery Commissioner pursuant to the *Order Referring All Discovery Disputes to Discovery Commissioner* (Transaction ID 65609112) filed on April 30, 2020. To ensure continuity and timely review of Discovery Disputes involving third-parties, the Court **ORDERS** the following procedures shall apply:

1. The interested parties shall meet and confer in a good faith effort to resolve the dispute.
2. If the dispute is not resolved:
 - a. A written response in opposition to the motion shall be filed **no later than 7 business days** after submission of the motion; and
 - b. Any written reply in further support of the motion shall be filed **no later than 4 business days** after submission of the written opposition to the motion.

All papers shall be submitted to Discovery Commissioner Christopher C. Wilkes and served by email upon all counsel. Upon completion of the briefing schedule set out above, the moving party shall provide hard copies of all submissions by overnight mail or courier to:

Christopher Wilkes
273 Shireoaks Dr.
Martinsburg, WV 25403

The Discovery Commissioner will notify the parties if he would like oral argument on any motion. In such case, the moving party shall arrange for a court reporter and for any telephonic hearing to be recorded and later transcribed.

It shall be the responsibility of the party seeking information from the third party to inform them of this procedure.

A copy of this Order has this day been electronically served on all counsel of record and Discovery Commissioner Christopher C. Wilkes via File & Serve*Xpress*.

It is so **ORDERED**.

ENTERED: May 1, 2020.

/s/ Alan D. Moats
Lead Presiding Judge
In Re: Opioid Litigation