



**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 REQUIRING PARTIES TO MEET AND CONFER WITH DISCOVERY  
COMMISSIONER REGARDING STATUS OF DISCOVERY AND TRIAL FORMAT**

On October 13, 2020, the Court ordered the Phase I, non-jury trial of liability for public nuisance to be continued to November 1, 2021. *Order Continuing Trial Date* (Transaction ID 66016709). The Court further ordered the parties to meet and confer, and to file and serve proposed interim deadlines on October 30, 2020. As ordered by the Court, the parties (all Plaintiffs and all Defendants) jointly submitted a list of proposed interim deadlines for the Phase I liability trial scheduled to begin on November 1, 2021. *Joint Submission Regarding Proposed Interim Deadlines* (Transaction ID 66067871).

Having reviewed the parties' Joint Submission, the Court **ORDERS** Liaison Counsel and Lead Coordinating Counsel for the parties to meet and confer with the Discovery Commissioner by November 11, 2020, regarding: 1) the status of discovery conducted to date; 2) the parties' recommendations regarding completion of discovery by the proposed April 30, 2021 deadline; and 3) the parties' recommendations regarding what, if any, modifications of the trial format should be made. By November 18, 2020, the Discovery Commissioner shall report to the Court regarding the parties' progress in conducting discovery, and shall make recommendations to the Court regarding whether the trial format should be modified, if at all, in order to complete discovery and motion practice prior to the Phase I, non-jury trial of liability for public nuisance scheduled to begin on November 1, 2021.

A copy of this Order has been electronically served on all counsel of record this day via File & ServeXpress.

It is so **ORDERED**.

**ENTERED:** November 4, 2020.

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

/s/ Derek C. Swope  
Presiding Judge  
Opioid Litigation