



**IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA**

**IN RE: OPIOID LITIGATION**

**CIVIL ACTION NO. 19-C-9000**

**THIS DOCUMENT APPLIES TO:**

**ROANE COUNTY COMMISSION, et al.,  
Plaintiffs,**

**v.**

**MYLAN PHARMACEUTICALS, INC., et al.,  
Defendants.**

**CIVIL ACTION NOS. 19-C-96 MSH  
19-C-97 MSH  
19-C-98 MSH  
19-C-99 MSH  
19-C-100 MSH  
19-C-101 MSH  
19-C-102 MSH  
19-C-103 MSH  
19-C-104 MSH  
19-C-105 MSH  
19-C-106 MSH  
19-C-107 MSH  
19-C-108 MSH**

**ORDER REGARDING DEFENDANT MIAMI-LUKEN, INC.'S  
MOTION TO JOIN AMERISOURCEBERGEN DRUG CORPORATION,  
CARDINAL HEALTH, INC. AND MCKESSON CORPORATION'S  
MOTION TO DISMISS PLAINTIFFS' COMPLAINT**

The Presiding Judges **GRANT** *Defendant Miami-Luken, Inc.'s Motion to Join AmerisourceBergen Drug Corporation, Cardinal Health, Inc. and Mckesson Corporation's Motion to Dismiss Plaintiffs' Complaint* (Transaction ID 64553169) filed in the above-styled civil actions. For the reasons set forth in the Court's *Order Regarding AmerisourceBergen Drug Corporation, Cardinal Health, Inc. and Mckesson Corporation's Motion to Dismiss Plaintiffs' Complaint* (Transaction ID 64684760), Defendant Miami-Luken, Inc.'s motion to dismiss Count VII of the Complaint - Negligence Per Se - is **GRANTED**. Defendant Miami-Luken, Inc.'s motion to dismiss all other Counts of the Complaint is **DENIED**.

All exceptions and objections are noted and preserved for the record.

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

It is so **ORDERED**.

**ENTERED:** February 7, 2020.

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