



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: OPIOID LITIGATION

CIVIL ACTION NO. 21-C-9000-PHARM

THIS DOCUMENT APPLIES TO:

STATE OF WEST VIRGINIA ex rel.  
PATRICK MORRISEY, Attorney General,

Plaintiff,

v.

CIVIL ACTION NO. 22-C-111 PNM

THE KROGER CO., et al

Defendants.

**ORDER OVERRULING KROGER'S OBJECTIONS TO DISCOVERY  
COMMISSIONER'S ORDER DENYING MOTION TO DEPOSE THE  
ATTORNEY GENERAL AND KEY ATTORNEY GENERAL STAFF  
REGARDING ATTORNEY GENERAL REPORT**

Pending before the Mass Litigation Panel ("Panel") are *Kroger's Objections to the Discovery Commissioner's Order Denying Kroger's Motion to Depose the Attorney General and Key Attorney General Staff Regarding Attorney General Report* (Transaction ID 68863076). Having reviewed the Discovery Commissioner's *Order Denying Defendants' Motion to Depose the Attorney General and Key Attorney General Staff Regarding Attorney General Report* (Transaction ID 68792881), Kroger's Objections (Transaction ID 68863076) and Plaintiff's Answer in Opposition (Transaction ID 68921180), Kroger's Objections are **OVERRULED**.

The Panel **ADOPTS** the Discovery Commissioner's *Order Denying Defendants' Motion to Depose the Attorney General and Key Attorney General Staff Regarding Attorney General Report* (Transaction ID 68792881) as an Order of the Court for the reasons set forth therein.

Kroger's objections are noted for the record.

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

It is so **ORDERED**.

**ENTERED:** January 20, 2023

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

/s/ Derek C. Swope  
Presiding Judge  
Opioid Litigation