



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

**IN RE: OPIOID LITIGATION**

**CIVIL ACTION NO. 22-C-9000 NAS**

**THIS DOCUMENT APPLIES TO ALL NAS CASES**

**ORDER SCHEDULING STATUS CONFERENCE AND HEARING  
OF ALL MOTIONS TO DISMISS ON MARCH 24, 2023**

The Presiding Judges will conduct a status conference regarding the NAS Cases at **9:00 a.m. on Friday, March 24, 2023**, in Courtroom Four, also known as the Ceremonial Courtroom, on the second floor of the Kanawha County Courthouse, located at 409 Virginia Street, East, in Charleston, West Virginia. At least one counsel of record with authority to speak for and fully represent each party shall attend.

The Presiding Judges will hear all motions to dismiss filed in the NAS Cases at 9:00 a.m. on March 24, 2023. Lead Counsel shall be prepared to present oral argument on the motions, which shall be divided by the following Defendant groups: Manufacturers, Distributors, and Pharmacies. The Panel's *Order Regarding E-Filing and Service Deadlines for Responses to Motions and Replies to Responses* (Transaction ID 63616820) applies to all motions filed in the NAS Cases, including motions to dismiss.

The Panel **AMENDS** its prior order allowing an extension of the time in which the McKinsey Defendants may move, answer, or defend regarding certain of Plaintiffs' Complaints to March 3, 2023 (Transaction ID 68604325), and also **AMENDS** any stipulations between Plaintiffs and any Defendant in the NAS Cases seeking an extension of time to move, answer, or defend to March 3, 2023 as follows: Defendants shall have until February 17, 2023, to file and serve a motion, answer, or defense to Plaintiffs' Complaints; Plaintiffs shall have until March 3, 2023, to file and serve a response to Defendants' motions; and Defendants shall have until March

10, 2023, to file and serve a reply in support of their motions. ***In no event shall briefing of motions to dismiss extend beyond March 10, 2023.***

On September 20, 2019, the Mass Litigation Panel appointed attorney Tim Linkous to serve as Plaintiffs' Liaison Counsel in the Opioid Litigation. *Order Regarding Rulings Issued During the September 20, 2019, Status Conference* (Transaction ID 64297517). Because the Panel's appointment of Mr. Linkous was prior to the Supreme Court of Appeals of West Virginia's transfer of the NAS Cases to the Panel, and because Mr. Linkous does not represent any Plaintiffs in the NAS Cases, the Panel **ORDERS** Plaintiffs' counsel in the NAS Cases to nominate an attorney to serve as Plaintiffs' Liaison Counsel for the NAS Cases **no later than January 20, 2023**. Plaintiffs' nomination shall be filed and served in the NAS Cases Master Case File.

The Panel's previously entered *Stipulated Protective Order* (Transaction ID 65810931), and the Discovery Commissioner's *Order Regarding Document and Electronically Stored Information Production Protocol* (Transaction ID 65816364), and *Order Concerning Discovery Response and Service Protocol* (Transaction ID 65862389) apply to the NAS Cases.

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

It is so **ORDERED**.

**ENTERED:** January 9, 2023.

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

/s/ Derek C. Swope  
Presiding Judge  
Opioid Litigation