



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 CASES

**STIPULATION BETWEEN CERTAIN PLAINTIFFS AND DEFENDANT
WEST VIRGINIA BOARD OF PHARMACY, REGARDING THE TIMING
AND FILING OF NOTICES OF NON-PARTY FAULT PURSUANT TO
WEST VIRGINIA CODE §55-7-13d**

COMES NOW certain plaintiffs, by and through counsel, Stephen P. New, Amanda J. Taylor, and New, Taylor & Associates, and defendant the West Virginia Board of Pharmacy (“WVBOP”), by and through counsel, Justin C. Taylor, Michael W. Taylor, and the law firm of Bailey & Wyant, PLLC, and herein enter into a stipulation with respect to the timing and filing of Notices of Potential Non-Parties at Fault, pursuant to West Virginia Code §55-7-13d as follows:

1. Whereas certain plaintiffs represented by New, Taylor & Associates filed suit in the Circuit Court of Marshall County, naming the WVBOP as a defendant.
2. That said actions, by Order of the West Virginia Mass Litigation Panel (WVMLP), entered on August 15, 2022, were transferred to the WVMLP.
3. That the actions at issue transferred to the WVMLP were as follows:

T.B. ex rel. Z.D.B., Civil Action No. 22-C-5
J.A. ex rel. S.D.L. & v. H.G.L., Civil Action No. 22-C-29
F.A. ex. rel. M.J.A., Civil Action No. 22-C-27
S.A. ex. rel. A.L.A. & T.L.A., Civil Action No. 22-C-30
T.B. ex rel. B.E.B. & S.F.B., Civil Action No. 22-C-21
D.B. ex rel. W.A.R., Civil Action No. 22-C-28
P.F. ex rel. A.J.F., Civil Action N0. 22-C-32
S.H. ex rel. N.M.B., Civil Action No. 22-C-24
D.J. ex rel. L.M.J., Civil Action No. 22-C-33
R.J. ex rel. S.A.J., Civil Action No. 22-C-36
T.L. ex rel. M.D.L. & T.J.L., Civil Action N0. 22-C-22
K.M. ex rel. L.C.M., Civil Action No. 22-C-23

So Ordered Judge Alan D Moats Oct 12, 2022

S.O. ex rel. R.G.O., Civil Action No. 22-C-20
T.P. ex rel. Z.N.B., Civil Action No. 22-C-31
S.S. ex rel. T.K.L., Civil Action No. 22-C-35
B.S. ex rel., S.R.S., M.K.S. & J.A.S., Civil Action No. 22-C-34
D.W. ex rel. C.D.W., Civil Action No. 22-C-26
C.W. ex rel. E.G.W. & B.D.W., Civil Action No. 22-C-25

4. On August 15, 2022, the WVMLP issued a Stay in the NAS cases at issue, up to and including December 30, 2022.
5. West Virginia Code §55-7-13d permits filing of Notices of Non-Party Fault within 180 days of the service of the Complaint upon defendant.
6. Due to the Stay of proceedings in this matter, the parties hereto enter into this Stipulation, where they agree as follows:
 - a. The WVBOP shall have until March 3, 2023 to file and serve its Notices of Non-Party Fault in the above referenced cases.
 - b. That by entering into this Stipulation, the WVBOP does not waive any defenses available to it.
 - c. That plaintiffs hereto waive any objection to the WVBOP filing its Notices of Non-Party Fault by March 3, 2023, which is after the 180-day statutory deadline, in the above referenced cases.
 - d. That this Stipulation shall be in effect unless it is altered by the Court.
 - e. The parties agree that no prejudice will result in this stipulation which extends the deadline to file Notices pursuant to West Virginia Code §55-7-13d

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CERTIFICATE OF SERVICE

I, Justin C. Taylor, counsel for West Virginia Board of Pharmacy, do hereby certify that the foregoing **STIPULATION BETWEEN CERTAIN PLAINTIFFS AND DEFENDANT WEST VIRGINIA BOARD OF PHARMACY, REGARDING THE TIMING AND FILING OF NOTICES OF NON-PARTY FAULT PURSUANT TO WEST VIRGINIA CODE §55-7-13d** was filed using the Court's Electronic Filing System, which will send notice of such filing to the following, on this day, October 7, 2022:

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