



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: OPIOID LITIGATION

CIVIL ACTION NO. 19-C-9000

THIS DOCUMENT APPLIES TO:

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA

CITY OF MORGANTOWN, WEST VIRGINIA,

Plaintiff,

v.

CIVIL ACTION NO. 22-C-87 (H)

KROGER LIMITED PARTNERSHIP I,
KROGER LIMITED PARTNERSHIP II,
WALGREENS BOOTS ALLIANCE, INC.,
WALGREEN CO.,
WALGREEN EASTERN CO., INC.,

Defendants.

ORDER OF TRANSFER TO THE MASS LITIGATION PANEL

On June 7, 2019, the Supreme Court of Appeals of West Virginia transferred all civil actions involving the same or similar common questions of law or fact concerning claims for damages against manufacturers and distributors of certain prescription opioid pain medications and other defendant parties allegedly involved in the distribution or dissemination of such medications to the Mass Litigation Panel and authorized the Panel to, among other things, “transfer and join with the existing Mass Litigation any civil actions involving the same or similar common questions of law or fact subsequently filed in any circuit court of West Virginia.”

Finding the above-styled civil action involves the same or similar common questions of law or fact as *In Re: Opioid Litigation*, Civil Action No. 19-C-9000, the Panel **ORDERS** the above-styled civil action **TRANSFERRED** to the Mass Litigation Panel and **JOINED** with *In re Opioid Litigation*, Civil Action No. 19-C-9000.

The above-styled civil action shall be subject to electronic filing and service with the Mass Litigation Panel, via File & Serve*Xpress*, **effective January 9, 2023**. To facilitate electronic filing and service in Mass Litigation cases, the civil action number must contain the three-letter identifier of the county in which the case originated. Accordingly, the civil action number for the above-styled civil action shall be “Civil Action No. 22-C-87 MSH” in File & Serve*Xpress*. Pursuant to the Court’s prior Orders, registration and training for e-filing and service is **mandatory**. If a party is not registered with File & Serve*Xpress* the party will not receive e-service of documents in the Opioid Litigation.

The paper court file in the above-styled civil action is **ORDERED** to be retained in the Marshall County Circuit Clerk’s office, subject to further order of the Panel. **All documents filed in the above-styled civil action prior to January 9, 2023**, any oversized documents that cannot be electronically filed, and any documents the Court orders to be placed under seal are **ORDERED** to be filed traditionally in the Marshall County Circuit Clerk’s office where the paper file is retained.

The Clerk of the Circuit Court of Kanawha County, West Virginia, is **ORDERED** to send a certified copy of this Order to the Clerk of the Circuit Court of Marshall County, West Virginia, for service on all parties in the above-styled civil action. All counsel of record in the Opioid Litigation shall this day be served with this Order electronically via File & Serve*Xpress*.

It is so **ORDERED**.

ENTERED: December 29, 2022.

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

/s/ Derek C. Swope
Presiding Judge
Opioid Litigation