



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: OPIOID LITIGATION

Civil Action No. 21-C-9000 DISTRIBUTOR

THIS DOCUMENT APPLIES TO ALL  
DISTRIBUTOR CASES

AMENDED CASE MANAGEMENT ORDER  
RELATING TO THE MASS LITIGATION PANEL  
OPIOID DISTRIBUTOR PROCEEDINGS

The Panel hereby amends the *Case Management Order Relating to the Mass Litigation Panel Opioid Distributor Proceedings* (Transaction ID 67239486) as follows:

1. The parties are hereby given leave of Court to file any motion or exhibit that references or includes confidential material under seal. No motion seeking leave of Court will be necessary.
2. Motions for summary judgment and motions challenging the admissibility of expert testimony shall be filed **no later than 12:00 p.m. on Monday, May 16, 2022**. Oppositions to such motions shall be filed **no later than 12:00 p.m. on Tuesday, May 31, 2022**. *No replies will be allowed*. Upon the filing of any motion challenging the admissibility of expert testimony, the filing party must identify whether prior motions to limit or exclude the subject expert's testimony in other opioid related matters were granted or denied and provide the relevant order(s) to the Panel with the filing.
3. Motions *in limine* shall be filed **no later than 12:00 p.m. on Friday, June 3, 2022**. Oppositions to such motions shall be filed **no later than 12:00 p.m. on Friday, June 10, 2022**. *No replies will be allowed*.
4. Witness lists shall be filed **no later than 12:00 p.m. on Friday, June 3, 2022**. Witness lists shall indicate whether the witness listed is a fact witness or an expert witness. The parties shall develop a process to differentiate their likely-to-call witnesses, and each side shall have an opportunity to depose any likely-to-call witnesses not previously deposed.

5. Exhibit lists shall be filed **no later than 12:00 p.m. on Friday, June 10, 2022**. The parties shall develop a stipulated rolling process for objections to trial exhibits (similar to stipulations entered in other opioid cases).
6. Deposition designations and objections shall be completed and delivered to the Presiding Judges and Counsel to the Mass Litigation Panel **no later than 12:00 p.m. on Friday, June 17, 2022**. All objections to deposition designations shall be listed on a chart in page order regardless of who interposed the objection.
7. Pretrial memoranda shall be filed **no later than 12:00 p.m. on Friday, June 17, 2022**.
8. The pretrial conference shall be held **at 10:00 a.m. on June 24, 2022**, 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.
9. The trial in this matter shall begin at **8:30 a.m. on Tuesday July 5, 2022**, at a location to be determined. The Panel has allocated 34 days for trial of this matter up to and including Friday, August 19, 2022.
10. The Panel encourages the parties to enter into a timekeeping agreement as was done in the State Opioid Manufacturer Proceedings. *See Order Establishing Procedure for Timekeeping at Trial in the State Opioid Manufacturer Proceedings* (Transaction ID 67448880) entered on April 4, 2022.

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

It is so **ORDERED**.

**ENTERED:** April 13, 2022.

/s/ Derek C. Swope  
Presiding Judge  
Opioid Litigation