



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA
IN RE: OPIOID LITIGATION **Civil Action No. 21-C 9000 PHARM**
THIS DOCUMENT APPLIES TO ALL STATE CASES AGAINST PHARMACIES

ORDER REGARDING MODIFICATIONS TO CASE SCHEDULE

The Court has reviewed the State of West Virginia and Pharmacy Defendants’¹ *Joint Motion to Modify the Case Schedule* (Transaction ID 67521829). Finding that good cause exists to modify the case schedule as described below in order to allow the State of West Virginia and Pharmacy Defendants (the “Parties”) to meet their existing discovery obligations and adequately prepare for trial, the Parties’ Joint Motion to Modify the Case Schedule is **GRANTED IN PART** and **DENIED IN PART**, as follows:

Event	Current Deadline	New Deadline
Fact Discovery	April 29	May 27
Plaintiff Expert Reports	May 13	June 6
Defendant Expert Reports	July 1	July 25
Expert Discovery	July 15	August 10
SJ/Daubert Motions	July 25	August 19
Motions in Limine (MIL)	Aug. 5	August 26
Oppositions to SJ/Daubert Motions	Aug. 12	Sept. 2
Witness Lists	Aug. 12	Sept. 7
Oppositions to MILs	Aug. 12	Sept. 7
Exhibit Lists	Aug. 19	Sept. 9
Depo Designations	Aug. 19	Sept. 9
Pretrial Memos	Aug. 29	Sept. 14
Pretrial Conference	Sept. 1	Sept. 19
Trial Date	Sept. 12	Sep. 26

¹ CVS Pharmacy, Inc., CVS Indiana, L.L.C., CVS Rx Services, Inc., CVS TN Distribution, L.L.C., and West Virginia CVS Pharmacy, L.L.C. (together, “CVS”); Rite Aid of Maryland, Inc., Rite Aid of West Virginia, Inc. (together, “Rite Aid”); Walgreens Boots Alliance, Inc., Walgreen Co., and Walgreen Eastern Co., Inc. (together, “Walgreens”); and Walmart Inc. (“Walmart”). Walgreens Boots Alliance has filed a motion to dismiss for lack of personal jurisdiction.

As previously set forth in the Court's *Second Amended Case Management Order* (Transaction ID 67482006), **all documents must be filed and served no later than 12:00 p.m. on the day they are due.**

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, September 9, 2022.** All objections to deposition designations shall be listed on a chart in page order regardless of who interposed the objection.

The pretrial conference in this matter shall be held **at 10:00 a.m. on Monday, September 19, 2022,** at a location to be determined.

The trial of this matter shall begin **at 8:30 a.m. on Monday, September 26, 2022,** at a location to be determined. The Presiding Judges have allocated 25 days for trial of this matter up to and including Friday, October 28, 2022. Due to the compressed trial schedule, the Parties' request to recess from trial on October 4-5 for the Yom Kippur holiday is **DENIED.** The Court will work with the Parties to accommodate any person who wishes to observe the Yom Kippur holiday, as the Court did with the parties in the trial of the Manufacturers' cases for the Good Friday and Passover holiday.

All aspects of the *Second Amended Case Management Order* not specifically addressed in this Order shall remain in full force and effect. A copy of this Order has this day been electronically served on all counsel of record via File & ServeXpress.

ENTERED: May 3, 2022.

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

/s/ Derek C. Swope
Presiding Judge
Opioid Litigation