



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

ORDER AFFIRMING DISCOVERY COMMISSIONER'S RULING  
REGARDING TRIAL TESTIMONY OF COMPANY WITNESSES

Pending before the Mass Litigation Panel ("Panel") is the *Distributor Defendants*'<sup>1</sup> *Partial Appeal of Discovery Commissioner's Ruling Regarding Trial Testimony of Company Witnesses* (Transaction ID 67644609) filed on May 20, 2022. In addition to the Distributor Defendants' Partial Appeal, the Panel has reviewed the *Discovery Commissioner's Ruling Regarding Pending Discovery Motions Pertaining to Due Diligence Files* entered on May 13, 2022 (Transaction ID 67617022) ("May 13, 2022, Order"); the City/County Plaintiffs' Response to the Distributor Defendants' Partial Appeal (Transaction ID 67645949) filed on May 22, 2022; and the Distributor Defendants' Reply (Transaction ID 67655301) filed on May 24, 2022.

Having reviewed the briefing, the Panel **AFFIRMS** the Discovery Commissioner's ruling regarding trial testimony of company witnesses for the reasons set forth in the May 13, 2022, Order. The Distributor Defendants' objections are noted for the record.

A copy of this Order has this day been electronically served on all counsel of record via File & ServeXpress

It is so **ORDERED**.

**ENTERED:** June 7, 2022.

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

/s/ Derek C. Swope  
Presiding Judge, Opioid Litigation

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<sup>1</sup> Distributor Defendants are AmerisourceBergen Drug Corporation, Cardinal Health, Inc., and McKesson Corporation.