



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: OPIOID LITIGATION

CIVIL ACTION NO. 22-C-9000 NAS

THIS DOCUMENT APPLIES TO:

STACY STACEY,
NEXT FRIEND AND GUARDIAN
OF MINOR CHILD T.K.L.,

Plaintiff,

v.

Civil Action No. 22-C-35 MSH

MCKESSON CORPORATION, et al.,

Defendants.

**ORDER REGARDING DEFENDANT CUMBERLAND HEALTH SERVICES, INC.
D/B/A IAEGER PHARMACY'S MOTION FOR SUMMARY JUDGMENT**

Pending before the Court is *Defendant Cumberland Health Services, Inc. d/b/a Iaegeer Pharmacy's Motion for Summary Judgment* (Transaction ID 70049665) filed May 19, 2023. Plaintiff has not filed a response to the motion.¹ Having reviewed the motion, the Court finds that oral argument will not aid in the decisional process.

Consistent with the Court's *Order Regarding Rulings on Motions to Dismiss* (Transaction ID 69834672) entered on April 17, 2023, and *Order Granting Defendants' Motions to Dismiss* (Transaction ID 70112431) entered on May 31, 2023, the Court **GRANTS** Defendant's motion for summary judgment. The Court **ORDERS** counsel for Defendant to prepare a detailed proposed order with findings of fact and conclusions of law granting the motion for summary judgment, consistent with the Court's May 31, 2023, *Order Granting Defendants' Motions to Dismiss* (Transaction ID 70112431). Defendant shall file and serve the detailed proposed order

¹ Pursuant to the Court's *Order Regarding E-filing and Service Deadlines for Responses to Motions and Replies to Responses* (Transaction ID 63616820) entered July 23, 2019, "Unless otherwise ordered by the Court, any response to a motion shall be e-filed and served within fourteen (14) calendar days after the filing of the motion, not including the date the motion is filed."

in rich text format **no later than June 21, 2023**. Any objection to the detailed proposed order shall be filed and served **no later than June 26, 2023**. Any response to any objection shall be filed **no later than June 28, 2023**.

This Order shall not be considered a final Order for appeal purposes. A copy of this Order has this day been electronically served on all counsel of record via File & Serve*Xpress*.

It is so **ORDERED**.

ENTERED: June 9, 2023.

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

/s/ Derek C. Swope
Presiding Judge
Opioid Litigation