



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 PUTNAM COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA ex rel.
PATRICK MORRISEY, Attorney General,

Plaintiff,

v.

CC-40-2022-C-111

THE KROGER CO., et al.

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 filed by the State of West Virginia ex rel. Patrick Morrisey, Attorney General, on August 23, 2022, 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** *State of West Virginia ex rel. Patrick Morrisey v. The Kroger Co., et al.*, CC-40-2022-C-111, **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 September 28, 2022**. 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-111 PNM” 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 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 Putnam County, West Virginia, for service on The Honorable Phillip M. Stowers and 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: September 14, 2022.

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

/s/ Derek C. Swope
Presiding Judge
Opioid Litigation