

## STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on March 17, 2022, the following order was made and entered:

State of West Virginia ex rel.  
Walmart, Inc.  
Rite Aid of Maryland, Inc., doing business as  
Rite Aid Mid-Atlantic Customer Support Center,  
Rite Aid of West Virginia, Inc.,  
Walgreen Co.,  
Walgreen Eastern Co., Inc.,  
CVS Pharmacy, Inc.,  
CVS Indiana, LLC,  
CVS Rx Services, Inc.,  
CVS TN Distribution, LLC, and  
West Virginia CVS Pharmacy, LLC,  
Petitioners

vs.) No. 22-0080

Honorable Alan D. Moats, Lead Presiding Judge,  
Opioid Litigation, Mass Litigation Panel, and  
Patrick Morrissey, Attorney General for the  
State of West Virginia,  
Respondents

## ORDER

On January 28, 2022, the petitioners, Walmart, Inc., by counsel, Alexander Macia and Tai Shadrick Kluemper, Spilman Thomas & Battle, PLLC; Rite Aid corporations, by counsel Webster J. Arceneaux, II, Lewis Glasser PLLC; and CVS corporations, by counsel, Carte P. Goodwin, Joseph M. Ward, and Alex J. Zurbuch, Frost Brown Todd LLC, filed a petition praying for a writ of prohibition to be directed against the respondents.

On February 28, 2022, the respondent, West Virginia Attorney General Patrick Morrissey, by Ann L. Haight, Deputy Attorney General, Vaughn T. Sizemore, Deputy Attorney General, and Abby G. Cunningham, Assistant Attorney General, filed a response to the petition.

Upon consideration and review, the Court is of the opinion that a rule should not be awarded, and the writ prayed for by the petitioners is refused. Justice Armstead would issue a rule to show cause.

Justice Alan D. Moats, sitting by temporary assignment, disqualified.

A True Copy

Attest: /s/ Edythe Nash Gaiser  
Clerk of Court

