

**STATE OF WEST VIRGINIA**

At the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on December 16, 2020, the following order was made and entered **in vacation**:

State of West Virginia ex rel.  
AmerisourceBergen Drug Corporation, et al.,  
Petitioners

vs.) No. 20-0694

Honorable Alan D. Moats, Lead Presiding Judge,  
Opioid Litigation, Mass Litigation Panel, et al.,  
Respondents

**AND**

State of West Virginia ex rel.  
Johnson & Johnson et al.,  
Petitioners

vs) No. 20-0751

Honorable Alan D. Moats, Lead Presiding Judge,  
Opioid Litigation, Mass Litigation Panel, et al.,  
Respondents

**ORDER**

On December 9, 2020, the respondents in these consolidated cases, by counsel, presented to the Court a “Respondents’ Expedited Motion to Lift Stay and Expedite Hearing and Decision.” Thereafter, on December 11, 2020, the petitioners, by counsel, filed a response in opposition to the motion.

Upon consideration, the Court is of the opinion to and does hereby grant the motion, in part, and refuse the motion, in part.

It is ORDERED that the automatic stay of the lower court proceedings shall be, and is, lifted for the limited purpose of allowing mediation to proceed. The request to lift the stay is otherwise refused. Justice Workman would lift the stay to allow discovery and pretrial proceedings to continue.



It is further ORDERED that the request to expedite oral argument and consideration before this Court is refused. These matters remain set for oral argument on Wednesday, February 17, 2021, at 10:00 o'clock a.m.

A True Copy

Attest: /s/Edythe Nash Gaiser  
Clerk of Court



