



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: OPIOID LITIGATION

Civil Action No. 19-C-9000

THIS DOCUMENT APPLIES TO ALL CASES

**ORDER REGARDING FILING AND SERVICE OF AMENDED EXHIBIT C  
TO WEST VIRGINIA FIRST MEMORANDUM OF UNDERSTANDING**

Exhibit C to the West Virginia First Memorandum of Understanding (“West Virginia First MOU”), filed by the parties on December 29, 2022,<sup>1</sup> and adopted by the Court on January 4, 2023,<sup>2</sup> specifies the percentage each County and City will recover from the Local Government (LG) Share of the Distributor settlement and the non-Distributor settlements. On page 21, footnote 18 of the *Common Benefit Fund Commissioner’s Recommendations Regarding Attorney Fees and Expenses* (Transaction ID 70922195) filed on September 21, 2023, the Commissioner notes that, “In the event that the intra-county percentages in Exhibit C differ by agreement or as a result of the dispute resolution process as specified in the MOU, those percentages shall apply to the calculation of contingency fees.”

Accordingly, the Court **ORDERS** the parties to file and serve an Amended Exhibit C to the West Virginia First MOU, with all amendments set forth in boldface type, within seven (7) days of the date of this Order. A copy of this Order has this day been electronically served on all counsel of record via File & ServeXpress.

It is so **ORDERED**.

**ENTERED:** September 22, 2023.

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

/s/ Derek C. Swope  
Presiding Judge  
Opioid Litigation

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<sup>1</sup> Motion to Adopt the West Virginia First Memorandum of Understanding (Transaction ID 68760098).

<sup>2</sup> Order Adopting the West Virginia First Memorandum of Understanding (Transaction ID 68796699).