



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: OPIOID LITIGATION

CIVIL ACTION NO. 21-C-9000 PHARM

THIS DOCUMENT APPLIES TO:

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

Plaintiff,

v.

Civil Action No. 20-C-82 PNM

WALGREENS BOOTS ALLIANCE, INC., *et al.*,

Defendants.

and

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

Plaintiff,

v.

Civil Action No. 22-C-111 PNM

THE KROGER CO., *et al.*,

Defendants.

AMENDED NOTICE OF STATUS CONFERENCE

On September 1, 2023, the Court entered a Consent Judgment in *State of West Virginia ex rel. Patrick Morrisey, Attorney General v. The Kroger Co., et al.*, Civil Action No. 22-C-111 PNM (Transaction ID No. 70766802), dismissing with prejudice the State of West Virginia's claims against Kroger, and also dismissing with prejudice the claims of all Litigating Local Governments that have been asserted against Kroger in actions pending before this Court, as shown in Exhibit B to the Consent Judgment as to Kroger. On September 5, 2023, the Court

entered a *Notice of Consent Judgment as to Kroger* (Transaction ID 70781141), which was served on all counsel of record in the Opioid Litigation. Accordingly, Kroger is excused from attending the status conference scheduled to be conducted in the above-captioned cases at **11:00 a.m. on September 15, 2023**, in the Courtroom located on the 11th Floor of the West Virginia Judicial Tower, 4700 MacCorkle Avenue, S.E., Charleston, WV 25304.

The parties in *State of West Virginia ex rel. Patrick Morrisey, Attorney General v. Walgreens Boots Alliance, Inc., et al.*, Civil Action No. 20-C-82 PNM, are required to attend the status conference at 11:00 a.m. on September 15, 2023, and be prepared to explain their delay in submitting their proposed consent judgment order inasmuch as this litigation is on hold pending entry of a consent judgment order as to Walgreens. *See Order Regarding Common Benefit Fund Commissioner's Recommendation Regarding Attorney Fees and Expenses* (Transaction ID 70016850) entered on May 15, 2023 (“[F]ifteen (15) days after **all** consent judgment orders and/or dismissal orders have been entered by the Court, the Common Benefit Fund Commissioner shall file a recommendation regarding attorney fees and expenses . . .”).

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 11, 2023.

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

/s/ Derek C. Swope
Presiding Judge
Opioid Litigation