



**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 APPROVING COMMON BENEFIT FUND COMMISSIONER'S  
RECOMMENDATIONS REGARDING ATTORNEY FEES AND EXPENSES**

Now pending before the Court is the *Common Benefit Fund Commissioner's Recommendations Regarding Attorney Fees and Expenses* (Transaction ID 70922195) filed on September 21, 2023. The Court has reviewed and considered the Commissioner's recommendations as well as *Irpino Avin & Hawkins Law Firm's Objection to Common Benefit Commissioner's Recommendations Regarding Attorney Fees and Expenses and the Accompanying Affidavit* (Transaction ID 70986969) filed on September 29, 2023. The Court finds the Commissioner's recommendations regarding attorney fees and expenses are well-reasoned, fair, and equitable. The Court further finds the Commissioner's recommendations are consistent with the Court's prior orders determining litigation cost amounts, including attorney fees, costs, and expenses, shall be 15% of settlement sums and remediation amounts shall be 85% of settlement sums.<sup>1</sup>

The Court overrules the objection filed by Irpino Avin & Hawkins Law Firm. The Court approves and endorses the *Common Benefit Fund Commissioner's Recommendations Regarding*

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<sup>1</sup>*Order Determining Litigation Cost Amount* (Transaction ID 69261823) entered March 2, 2023, in *State of West Virginia ex rel. Patrick Morrissey, Attorney General v. Walmart Inc. f/k/a/ Wal-Mart Stores, Inc.*, Civil Action No. 20-C-132 PNM; *Order Determining Litigation Cost Amount* (Transaction ID 69261962) entered March 2, 2023, in *State of West Virginia ex rel. Patrick Morrissey, Attorney General v. CVS Pharmacy, Inc., et al.*, Civil Action No. 20-C-131 PNM; *Order Determining Litigation Cost Amount* (Transaction ID 70231977) entered June 21, 2023, in *State of West Virginia ex rel. Patrick Morrissey, Attorney General v. Walgreens Boots Alliance, Inc., et al.*, Civil Action No. 20-C-82 PNM; *Order Determining Litigation Cost Amount* (Transaction ID 70591875) entered August 8, 2023, in *State of West Virginia ex rel. Patrick Morrissey, Attorney General v. The Kroger Co., et al.*, Civil Action No. 22-C-111 PNM.

*Attorney Fees and Expenses* (Transaction ID 70922195) for all of the reasons set forth in the Commissioner's recommendations.

A copy of this Order has this day been electronically served on all counsel of record via File & Serve*Xpress*.

It is so **ORDERED**.

**ENTERED:** October 9, 2023.

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

/s/ Derek C. Swope  
Presiding Judge  
Opioid Litigation