

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

RE: RECALL OF THE HONORABLE DEREK C. SWOPE, SENIOR STATUS JUDGE, TO ACTIVE SERVICE TO ASSIST THE MASS LITIGATION PANEL IN RESOLVING THE OPIOID LITIGATION, *IN RE: OPIOID LITIGATION*, KANAWHA COUNTY CIVIL ACTION NO. 19-C-9000

On June 7, 2019, pursuant to Rule 26.06(c)(3) of the West Virginia Trial Court Rules, the motion to refer Opioid Litigation was granted and transferred to the Mass Litigation Panel ("Panel") for further proceedings. On June 14, 2019, the Honorable Derek C. Swope, then Judge of the Ninth Judicial Circuit and a member of the Panel, was assigned to this litigation as a "Presiding Judge."

Judge Swope retired as circuit judge on December 31, 2023, and was approved for admission to Senior Status upon his retirement. Judge Swope's term on the Panel ended upon his retirement. By letter dated January 3, 2024, the Honorable Gregory L. Howard, Jr., Chair of the Panel, advised the Chief Justice of the Supreme Court of Appeals that pursuant to Rule 26.05(c) of the West Virginia Trial Court Rules, the Mass Litigation Panel and Senior Status Judge Alan D. Moats hereby request the assignment of Judge Swope to assist the Panel in resolving the Opioid Litigation.

The Chief Justice, given Judge Swope's previous assignment as Presiding Judge and his experience and expertise regarding this litigation, deems the request to be warranted.

IT IS HEREBY ORDERED that the Honorable Derek C. Swope, Senior Status Judge, be, and he hereby is, recalled to active service to assist the Panel in resolving the Opioid Litigation, *In Re: Opioid Litigation*, Kanawha County Civil Action No. 19-C-9000.

IT IS FURTHER ORDERED that a copy of this Order be filed with the Clerk of Court of the Supreme Court of Appeals of West Virginia who shall provide copies of the same to the Honorable Gregory L. Howard, Jr., Chair of the Panel; the Honorable Alan D. Moats, Senior Status Judge; the Honorable Derek C. Swope, Senior Status Judge; Counsel to the Mass Litigation Panel; and to the Circuit Clerk of Kanawha County.

IT IS FURTHER ORDERED that the Circuit Clerk of Kanawha County shall provide copies of this Order to all parties of record or their counsel.

ENTERED: FEBRUARY 23, 2024



TIM ARMSTEAD
Chief Justice