



**IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA**

**IN RE: OPIOID LITIGATION**

**CIVIL ACTION NO. 19-C-9000**

**THIS DOCUMENT APPLIES TO:**

**IN THE CIRCUIT COURT OF PUTNAM COUNTY, WEST VIRGINIA**

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

**Plaintiff,**

**v.**

**CIVIL ACTION NO. CC-40-2024-C-20  
Hon. Joseph Reeder**

**PUBLICIS HEALTH, LLC,**

**Defendant.**

**ORDER REGARDING JOINT MOTION TO  
TRANSFER TO MASS LITIGATION PANEL**

Plaintiff, the State of West Virginia, ex. rel. Attorney General Patrick Morrisey, identified above, by counsel, together with Defendant, Publicis Health, LLC, identified above, by counsel, previously filed a *Joint Motion to Transfer Case to Mass Litigation Panel* (Transaction ID 71976029) on February 7, 2024 (“Motion”) seeking to transfer the above-captioned civil action pending in the Circuit Court of Putnam County, West Virginia, to the Mass Litigation Panel and join it with *In re: Opioid Litigation*, Civil Action No. 19-C-9000, pending in the Circuit Court of Kanawha County, West Virginia. No response to the Motion has been filed.

To promote judicial economy and prevent waste of judicial resources, the Panel ordered the September 26, 2022, Phase I Liability Trial of the State’s case against Pharmacy Defendant Walgreens Boots Alliance, Inc., et al., continued and ordered a joint Phase I Liability Trial of the State’s cases against Walgreens and Kroger to be conducted on June 5, 2023.<sup>1</sup> To further promote

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<sup>1</sup>*Order Continuing September 26, 2022, Trial of the State of West Virginia’s Cases Against Pharmacies* (Transaction ID 68120458) entered September 19, 2022.

judicial economy and prevent waste of judicial resources, the Panel then ordered the State “to file any other civil actions against any potential defendant, including, but not limited to, manufacturers, distributors, or pharmacies, involving the same or similar common questions of law or fact as *In re: Opioid Litigation*, Civil Action No. 19-C-9000, **no later than September 30, 2022.**”<sup>2</sup> The parties represent that the State filed the above-captioned civil action in Putnam County on February 1, 2024.

The Court **ORDERS** the State to file and serve a supplement to the Motion **no later than March 4, 2024**, stating the basis for the State’s delay in filing the above-captioned civil action, and the procedural posture of the above-captioned civil action, including but not limited to, whether the parties have agreed to settle the above-captioned civil action and enter into a consent judgment that will be part of *In re: Opioid Litigation*, Civil Action No. 19-C-9000.

The Clerk of the Kanawha County Circuit Court is **ORDERED** to send a certified copy of this Order to the Clerk of the Putnam County Circuit Court for service to the affected judge and all parties in the above-captioned civil action. All counsel of record in the Opioid Litigation shall this day be served with this Order electronically.

It is so **ORDERED**.

**ENTERED:** February 26, 2024.

/s/ Alan D. Moats  
Lead Presiding Judge  
In Re: Opioid Litigation

/s/ Derek C. Swope  
Presiding Judge  
In Re: Opioid Litigation

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<sup>2</sup>Order (Transaction ID 68124687) entered September 19, 2022.