

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

This document relates to:

Case No. 1:18-op-45459-DAP

THE MUSCOGEE (CREEK) NATION,

PLAINTIFF,

v.

PURDUE PHARMA L.P., et al.,

DEFENDANTS.

MDL No. 2804

**Master Docket No.:
1:17-MD-02804-DAP**

Hon. Judge Dan A. Polster

JURY TRIAL DEMANDED

OPPOSITION TO OLYMPIA PHARMACY'S MOTION TO DISMISS

Defendant Olympia Pharmacy's Motion to Dismiss First Amended Complaint ("Defendant's Motion") should be denied as untimely pursuant to Northern District of Ohio Local Rule 7.1. Under Case Management Order 6, *In re: Nat'l Prescription Opiate Litig.*, No. 1:17-md-2804 (N.D. Ohio), ECF No. 770, the time to file motions to dismiss in this case expired on August 31, 2018; Defendant's Motion was not filed for another 42 days, on October 12, 2018.

In the alternative, Defendant's Motion should be dismissed for the reasons set forth in Plaintiff's Consolidated Opposition to Defendants' Motions to Dismiss the Nation's First Amended Complaint, ECF No. 84, which Plaintiff hereby incorporates by reference.

Date: October 31, 2018

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CERTIFICATE OF SERVICE

I, Jenna A. Hudson, hereby certify that on October 31, 2018 the foregoing document was served via the Court's ECF system to all counsel of record.

/s/ Jenna A. Hudson

Jenna A. Hudson