

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION)	MDL 2804
OPIATE LITIGATION)	
)	Case No. 1:17-md-2804
THIS DOCUMENT RELATES TO:)	
)	Judge Dan Aaron Polster
<i>The County of Summit, Ohio, et al. v.</i>)	
<i>Purdue Pharma L.P., et al.,</i>)	<u>MINUTES AND ORDER</u>
Case No. 18-OP-45090)	
)	
<i>The County of Cuyahoga v.</i>)	
<i>Purdue Pharma L.P.,</i>)	
Case No. 17-OP-45004)	
)	
<i>City of Cleveland v.</i>)	
<i>AmerisourceBergen Drug Corp.,</i>)	
Case No. 18-OP-45132)	

On December 20, 2018 the Court held an impromptu emergency telephonic hearing regarding Purdue's Motion for Leave to File Emergency Motion to Enjoin the Massachusetts Attorney General's Office from Violating the MDL Protective Order. **Doc. #: 1204.** In attendance were Gillian Feiner from the Massachusetts Attorney General's Office; Mark Cheffo and Shelia Birnbaum representing Purdue; and Special Masters Francis McGovern, David Cohen, and Cathy Yanni.

The Court first clarifies that its Protective Order, Doc. #: 441, governs all documents and information produced in the MDL and applies to all persons who receive documents or information produced in accordance with its provisions. Because the Massachusetts Attorney General's Office

received many of the documents relied on in amending its complaint from the MDL, this Court's Protective Order governs the disclosure of that information.

The Court understands that the parties have been working in good faith towards an agreement that will allow the Massachusetts Attorney General's Office to file an unredacted amended complaint. The Court directs the parties to continue to do so. While those discussions are ongoing, however, the Massachusetts Attorney General's Office may file a redacted version of its amended complaint in its state court proceeding and may provide an unredacted version to Judge Janet Sanders for her own review in camera. If the parties are unable to reach an agreement, they are directed to follow the protocols set forth in the Court's Protective Order and Protocol for State and Federal Court Coordination, Doc. #: 1029, for resolving such conflicts first seeking guidance from the Special Masters and then, if necessary, appealing to this Court for a final determination.

Accordingly, Purdue's Motion for Leave to File Emergency Motion, Doc. #: 1204, is **DENIED** as moot.

IT IS SO ORDERED.

/s/ Dan Aaron Polster December 20, 2018
DAN AARON POLSTER
UNITED STATES DISTRICT JUDGE