

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

**IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

***THIS DOCUMENT RELATES TO:  
ALL CASES***

MDL No. 2804

Case No. 1:17-md-2804

Hon. Dan Aaron Polster

**CERTAIN DEFENDANTS' MOTION FOR LEAVE TO FILE MOTION FOR RELIEF  
CONCERNING IMPROPER EXTRAJUDICIAL STATEMENTS  
AND VIOLATIONS OF COURT ORDERS**

The undersigned Defendants move this Court for leave to file the annexed Motion for Relief Concerning Improper Extrajudicial Statements and Violation of Court Orders and memorandum in support thereof.

Lawyers representing plaintiffs in this litigation are engaged in a concerted campaign to taint potential jury pools in this district—and across the country—through misleading, inflammatory, and improper public statements. Their behavior, which reached a crescendo on national TV during a recent episode of *60 Minutes*, is a flagrant violation of their ethical obligations as attorneys practicing before this Court and threatens defendants' rights to a fair adjudication of the claims asserted against them. Certain statements by plaintiffs' counsel also have violated this Court's express orders. These lawyers' professional misconduct is so far outside the bounds of appropriate behavior as to warrant a gag order and other sanctions. Such steps are necessary to help mitigate the unfair and prejudicial effects of the misconduct and to deter similar misconduct in the future. The essential fairness of this proceeding and the rights of the parties are at stake.

For these reasons and those more fully set forth in the annexed motion and memorandum in support, the Court should grant Defendants leave to file the annexed Motion for Relief Concerning Improper Extrajudicial Statements and Violation of Court Orders and memorandum in support thereof.

January 4, 2019

Respectfully submitted,

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