

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

IN RE: NATIONAL PRESCRIPTION) CASE NO. 1:17-MD-2804
OPIATE LITIGATION)
)
) JUDGE POLSTER
THIS DOCUMENT RELATES TO:)
“Track One Cases”)
)
) ORDER REGARDING
) TRACK ONE TRIAL PLAINTIFFS
)

Pursuant to Rule 42 of the Federal Rules of Civil Procedure and this Court’s inherent authority, for purposes of efficiency and streamlining the Track One bellwether cases for trial, the Court orders as follows:

The claims of the County of Cuyahoga and the County of Summit (the “County Plaintiffs”) will be prioritized for the first Track One Bellwether trial;

The claims of the City of Cleveland and the City of Akron (the “Municipal Plaintiffs”) will be set for trial at a later date, which shall not occur before the trial of the claims of the Track Two Bellwethers (as defined in docket no. 1218);

Fact discovery taken from and provided by the Track One Municipal Plaintiffs, including documents and deposition testimony, shall be part of the discovery record in the Track One County Plaintiffs’ cases;

The parties shall meet and confer and discuss with Special Master Cohen a briefing schedule concerning any issues any party seeks to raise in advance of the setting of the trial of the Municipal Plaintiffs’ claims, and all parties’ objections are hereby preserved;

Nothing in this Order shall excuse the Municipal Plaintiffs from promptly completing all written discovery, document productions and depositions previously requested by Defendants; moreover, nothing in this Order shall preclude Defendants from seeking relief in connection with any discovery deficiencies; and

The Municipal Plaintiffs are directed to meet and confer with the Defendants and Special Master Cohen to discuss the appropriate prioritization of outstanding discovery in light of the claims and issues remaining in Track One, and shall address any disputes to Special Master Cohen.

IT IS SO ORDERED.

/s/ Dan Aaron Polster

**DAN AARON POLSTER
UNITED STATES DISTRICT JUDGE**

Dated: February 25, 2019