

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

IN RE NATIONAL PRESCRIPTION  
OPIATE LITIGATION

This document relates to:

*The County of Summit, Ohio, et al. v. Purdue  
Pharma L.P., et al.*

Case No. 18-op-45090

*The County of Cuyahoga v. Purdue Pharma  
L.P., et. al.*

Case No. 17-op-45004

*The City of Cleveland v. AmerisourceBergen  
Drug Corp., et. al.*

Case No. 18-op-45132

MDL No. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

Special Master David R. Cohen

**ORDER TO SHOW CAUSE CONCERNING PRODUCTION  
OF MEDICAL CLAIMS DATA BY UNITED HEALTHCARE**

WHEREAS, in Case Management Order No. 1 [Dkt. 232], this Court authorized discovery to proceed in the following three actions (the “Track One Cases”): (1) *The County of Summit, Ohio. v. Purdue Pharma L.P.*, Case No. 18-OP-45090 (N.D. Ohio); (2) *The County of Cuyahoga v. Purdue Pharma L.P.*, Case No. 17-OP-45004 (N.D. Ohio); and (3) *City of Cleveland v. AmerisourceBergen Drug Corp.*, Case No. 18-OP-45132 (N.D. Ohio); and

WHEREAS, Case Management Order No. 2 [Dkt. 441] authorized disclosure of certain Protected Health Information as that term is defined in 45 C.F.R. § 160.103; and

WHEREAS, Special Master David R. Cohen and the Court have ordered plaintiffs in the Track One Cases (the “Track One Plaintiffs”) to produce certain medical and pharmacy insurance claims information associated with individuals who reside in the jurisdictions (“Claims Data”), including in the Track One Discovery Order Regarding Health-Related Information [Dkt. 703], Discovery Ruling No. 7 [Dkt. 1051], and the Court’s November 21, 2018 Order [Dkt. 1147]; and

WHEREAS, pursuant to those Orders, Track One Plaintiffs have produced certain Claims Data to Defendants in this action and will be reproducing such Claims Data in an agreed format promptly;

WHEREAS, Track One Plaintiffs are working with Rawlings Financial Services, LLC (“Rawlings”) to produce the Claims Data in the agreed format; and

WHEREAS, United Healthcare has possession of certain medical claims information associated with individuals who were insured under insurance plans provided by Cuyahoga County (the “United Healthcare Claims Data”) but to date has refused to consent to Plaintiffs’ production of the United Healthcare Claims Data;

IT IS HEREBY ORDERED that United Healthcare shall appear telephonically<sup>1</sup> before the undersigned on **March 6, 2019 at 2:15 PM** and show cause as to why the Court should not order United Healthcare to immediately produce the United Healthcare Claims Data in this action or otherwise coordinate the production of such data consistent with Plaintiffs’ production of the Claims Data pursuant to the Track One Discovery Order Regarding Health-Related Information [Dkt. 703], Discovery Ruling No. 7 [Dkt. 1051], and the Court’s November 21, 2018 Order [Dkt. 1147].

IT IS FURTHER ORDERED that Defendants shall immediately effect service of this

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<sup>1</sup> Dial-in Number: 1.888.346.3950, Participant Entry Code: 7763-3882#

Order upon counsel for United Healthcare via electronic means and via overnight courier, and shall further furnish a copy of their subpoena to United Healthcare to the Special Master prior to the telephonic hearing.

**IT IS SO ORDERED.**

/s/ David R. Cohen  
**David R. Cohen**  
**Special Master**

**Dated: March 1, 2019**