

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

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

MDL No. 2804

Hon. Dan Aaron Polster

**NOTICE OF OBJECTION TO PLAINTIFFS' DISCLOSURE OF ARCOS DATA
IN RESPONSE TO PUBLIC RECORDS REQUESTS**

Undersigned counsel have received notice of three public records requests seeking disclosure of certain ARCOS data in the possession of certain Plaintiffs. The data was produced by the Drug Enforcement Administration (DEA) in this matter pursuant to the Court's Protective Order, Dkt. 167. Under the terms of the Protective Order, Defendants have two business days from receipt of notification to lodge any objection to the request with this Court. Dkt. 167, ¶ 13. Accordingly, Defendants make this filing today.¹

The DEA has filed an objection to the records requests, and requested the opportunity for briefing in the event the Court is inclined to allow production in response to the requests. Dkt. 603. The Defendants join DEA's filing in full. As submitters of information to DEA, Defendants have certain rights and opportunities to respond to requests for public disclosure pursuant to Executive Order 12,600, DEA regulations, and case law. Should the Court be inclined not to grant the relief requested by DEA and DOJ, Defendants request that the Court order DEA and DOJ to comply fully with the procedures established by Executive Order 12,600

¹ Counsel are aware that Plaintiffs may still be in the process of providing the required notice of these public records requests to all Defendants, as required by this Court's Protective Order. Dkt. 167, ¶ 13.

and applicable agency regulations with respect to the particular data (if any) submitted by Defendants that is sought by the three instant FOIA requests and any other FOIA requests that may subsequently be made.

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Dated: June 11, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that, on June 11, 2018, I filed a copy of the foregoing Notice of Objection to Plaintiffs' Disclosure of ARCOS Data in Response to Public Records Requests electronically. The Court's electronic filing system will send notice of this filing to all parties. Parties may access this filing through the Court's system.

/s/ Ashley W. Hardin
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