

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

THE MUSCOGEE (CREEK) NATION,)	CASE NO. 1:18-OP-45459
)	
Plaintiff,)	JUDGE DAN AARON POLSTER
)	
vs.)	
)	(MDL No. 2804)
PURDUE PHARMA L.P., et al.,)	
)	
Defendants.)	
)	

MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(6)

Defendant Pharmacy Buying Association is named as a Distributor Defendant in Plaintiff's First Amended Complaint, and joins and incorporates by reference in the Motion to Dismiss (Doc. 49) and Memorandum in Support (Doc. 49-1) filed by Distributor Defendants AmerisourceBergen Corporation, AmerisourceBergen Drug Corporation, Cardinal Health, Inc., Cardinal Health 110, LLC, and McKesson Corp.

Dated: August 31, 2018

Respectfully submitted,

LATHROP GAGE LLP

By: /s/ Brian C. Fries
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CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of August, 2018, a copy of the foregoing Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/ Brian C. Fries

Brian C. Fries (MO # 40830)
An Attorney for Defendant Pharmacy
Buying Association