

**BEFORE THE UNITED STATES JUDICIAL PANEL
ON MULTIDISTRICT LITIGATION**

In re: Children Born Opioid-Dependent)	
)	
This document relates to:)	
All Cases)	MDL No. 2872
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**MANUFACTURER DEFENDANTS’ OPPOSITION TO MOTION FOR TRANSFER OF
ACTIONS PURSUANT TO 28 U.S.C. § 1407 FOR COORDINATED OR
CONSOLIDATED PRETRIAL PROCEEDINGS**

The Manufacturer Defendants¹ respectfully submit this opposition to Movants’ motion for transfer of actions pursuant to 28 U.S.C. § 1407 for coordinated or consolidated pretrial proceedings.

I. PRELIMINARY STATEMENT

This Panel should deny Movants’ request to create a new and separate MDL for plaintiffs whose cases this Panel previously transferred to *In re National Prescription Opiate Litigation*, MDL No. 2804 (the “Opiate MDL”). The motion to transfer (the “Motion”) is Movants’ latest attempt to end-run the orderly administration of pretrial proceedings in the Opiate MDL by Judge Polster. Movants seek to represent various classes of children diagnosed with neonatal abstinence syndrome (“NAS”). The core claims against the Manufacturer Defendants—and the

¹ The Manufacturer Defendants are Actavis LLC; Actavis Pharma, Inc. f/k/a Watson Pharma, Inc.; Endo Health Solutions Inc.; Endo Pharmaceuticals Inc.; Janssen Pharmaceutica Inc. n/k/a Janssen Pharmaceuticals, Inc; Janssen Pharmaceuticals, Inc.; Ortho-McNeil-Janssen Pharmaceuticals, Inc. n/k/a Janssen Pharmaceuticals, Inc.; Johnson & Johnson; Purdue Pharma Inc.; Purdue Pharma L.P.; The Purdue Frederick Company Inc.; Teva Pharmaceutical Industries Ltd. (incorrectly named as “Teva Pharmaceutical Industries, Ltd.”); Watson Laboratories, Inc.; Allergan plc f/k/a Actavis plc; Allergan Finance, LLC f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals, Inc.; and Cephalon, Inc. Teva Pharmaceutical Industries Ltd., a foreign company, has not been properly served in any of Movants’ actions but joins this response out of an abundance of caution, and expressly reserves all defenses, including those related to personal jurisdiction and service of process. Allergan plc f/k/a Actavis plc, an Irish company, and Allergan Finance, LLC f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals, Inc. have not been properly served in all of these actions but join this response out of an abundance of caution and expressly reserve all defenses including those related to personal jurisdiction and service of process.

claims of every other plaintiff in the Opiate MDL—are based on the allegation that the Manufacturer Defendants improperly marketed FDA-approved opioid medications. Movants previously conceded that their claims share common questions of fact with the cases in the Opiate MDL, as six of the seven cases listed in Movants’ Schedule of Actions were transferred to the Opiate MDL for coordinated pretrial proceedings without objection. But now, Movants ask this Panel to create a new MDL for NAS cases because they are dissatisfied with how their cases are proceeding in the Opiate MDL. This Panel should reject Movants’ attempt to circumvent this Panel’s orders and Judge Polster’s administration of the Opiate MDL for three reasons:

First, Movants’ claims share common factual issues with the cases in the Opiate MDL, and thus, their cases plainly belong in the already-existing Opiate MDL.

Second, granting Movants’ Motion would contravene the purpose of § 1407 coordination and set the dangerous precedent that litigants who raise any supposedly “unique” issue are entitled to their own MDL. This would depart from Panel precedent and open the door to the inconsistency and inefficiency that coordinated proceedings are designed to avoid.

Third, the Motion is essentially a request to both have the Panel second-guess Judge Polster’s decisions and administration of the Opiate MDL, and to entangle the Panel in disputes among counsel for Movants here and the Opiate MDL’s Plaintiffs’ Executive Committee (“PEC”). As the Panel explained when creating the Opiate MDL, it entrusts such case management issues “to the sound judgment of the transferee judge.” *In re Nat’l Prescription Opiate Litig.*, MDL No. 2804, Doc. 328 (December 5, 2017 Transfer Order). Arguments concerning the management of an MDL should be directed to the transferee judge—not the Panel. Movants’ dissatisfaction with the administration of the Opiate MDL does not give them

license to start anew with a different MDL judge. The Panel should reject Movants' blatant attempt at forum-shopping.

II. PROCEDURAL HISTORY

On December 5, 2017, this Panel created the Opiate MDL for actions sharing "common factual questions about . . . the manufacturers' alleged improper marketing of [opiates]" and cases alleging that "manufacturers of prescription opioid medications overstated the benefits and downplayed the risks of the use of their opioids[.]" *In re Nat'l Prescription Opiate Litig.*, MDL No. 2804, Doc. 328 (December 5, 2017 Transfer Order) at 3. The Panel assigned the MDL to the Northern District of Ohio and in particular Judge Polster, whom the Panel had "no doubt" would "steer this litigation on a prudent course." *Id.*

After the creation of the Opiate MDL, Movants filed a series of putative class actions on behalf of children purportedly diagnosed with NAS. For months, Movants agreed their actions belonged in the Opiate MDL and did not oppose transfer: six of the seven actions listed on Movants' Schedule of Actions were transferred to the Opiate MDL with no objection. *See In re Nat'l Prescription Opiate Litig.*, MDL No. 2804, Doc. 899 (March 14, 2018 CTO-14) (transferring *Rees*); *id.*, Doc. 962 (March 20, 2018 CTO-15) (transferring *Salmons & Wood*); *id.*, Doc. 1123 (April 4, 2018 CTO-18) (transferring *Ambrosio*); *id.*, Doc. 1174 (April 10, 2018 CTO-19) (transferring *Flanagan*); *id.*, Doc. 1653 (May 29, 2018 CTO-32) (transferring *Hunt*). Omitted from Movants' Schedule of Actions are two additional cases brought by Movants' counsel (*Roach* and *Whitley*) that were similarly transferred to the Opiate MDL without objection. *Id.*, Doc. 1557 (May 5 Order Lifting Stay of Conditional Transfer Order) (transferring *Roach v. McKesson Corp. et al.*, No. 2:18-cv-04165 (E.D. La.)); *id.*, Doc 1505 (May 17, 2018 CTO-30) (transferring *Whitley v. Purdue Pharma L.P. et al.*, No. 18-cv-02290 (W.D. Tenn.)).

Movants then sought to create a separate NAS track in the MDL. At the MDL Court's May 10, 2018 status conference, Movants' counsel asked a court-appointed Special Master to create a NAS track. The Special Master stated that Judge Polster "is going to have to address" certain categories of plaintiffs, including NAS plaintiffs, that were not identified for a separate track by the MDL court's first case management order. *In re Nat'l Prescription Opiate Litig.*, MDL No. 2804, Doc. 418 (Transcript of Status Conference Held Before the Hon. Dan Aaron Polster), at 7:12-18. Thus, on May 31, 2018, Movants' counsel filed in the MDL a motion for leave to file a motion to create a separate NAS track in the MDL. On June 28, 2018, Judge Polster denied that motion. On August 21, 2018, NAS counsel filed a renewed motion for leave to move for the creation of a separate NAS class action track. *Id.*, Doc. 895. That motion remains under consideration.

Only after Judge Polster denied their first motion to create a separate NAS litigation track did NAS plaintiffs begin to oppose transfer to the Opiate MDL. *See In re Nat'l Prescription Opiate Litig.*, MDL No. 2804, Doc. 2150 (Aug. 8, 2018 *Doyle* Not. of Opp'n); *id.*, Doc. 2411 (Sept. 4, 2018 *Moore* Not. of Opp'n)²; *id.*, Doc. 2638 (Oct. 2, 2018 *A.M.H.* Not. of Opp'n).³

III. ARGUMENT

Under 28 U.S.C. § 1407, the Panel may create an MDL "[w]hen civil actions involving one or more common questions of fact are pending in different districts" and upon making a "determination that transfers for such proceedings will be for the convenience of parties and witnesses and will promote the just and efficient conduct of such actions." 28 U.S.C. 1407(a). For reasons set forth below, not only do Movants fail to satisfy this standard, the relief sought by the Motion—if granted—would create the very inefficiencies that the statute is intended to avoid.

² The arguments raised in the *Doyle* and *Moore* motions to vacate are substantially similar to the grounds raised in the Motion.

³ The *Doyle* and *A.M.H.* actions are also omitted from Movants' Schedule of Actions.

A. Movants' Cases Belong in the Opiate MDL

This Panel created the Opiate MDL for actions sharing “common factual questions about . . . the manufacturers’ alleged improper marketing of [opiates]” and cases alleging that “manufacturers of prescription opioid medications overstated the benefits and downplayed the risks of the use of their opioids[.]” *In re Nat’l Prescription Opiate Litig.*, MDL No. 2804, Doc. 328 (December 5, 2017 Transfer Order) at 3.

Each of the Movants’ cases presents these same common factual questions. For example, in *Moore*, Plaintiff alleges that the Manufacturer Defendants engaged in a “negligent marketing . . . scheme” that “spread misrepresentations about the risks and benefits of long-term opioid use,” *Moore* Compl. ¶ 43, and “negligently trivialized and failed to disclose the risks of long-term opioid use,” *id.* ¶ 58. The complaint further alleges that these purported “longstanding misrepresentations minimizing the risk of long-term opioid use persuaded doctors and patients to discount or ignore the true risks” of opioids. *Id.* ¶ 76. Identical allegations – which form the crux of all cases in the Opiate MDL – appear in all Movants’ complaints.⁴

Thus, these cases present the common factual questions that lay at the heart of every case transferred to the Opiate MDL: how defendants marketed their prescription opioid medications, what warnings defendants provided, whether prescribing physicians were exposed to and deceived by defendants’ marketing, and whether, as a result of defendants’ marketing, physicians improperly prescribed opioid medications. That Movants did not initially object to transfer of their cases to the MDL is further evidence of the existence of common factual questions.

⁴ See also *Ambrosio v. Purdue Pharma L.P. et al.*, No. 1:18-op-45375-DAP (N.D. Ohio), Compl. ¶ 40 (Manufacturer Defendants engaged in a “negligent marketing . . . scheme” that “spread misrepresentations about the risks and benefits of long-term opioid use”); *Flanagan v. Purdue Pharma L.P. et al.*, No. 1:18-op-45405-DAP (N.D. Ohio), Compl. ¶ 41 (same); *Hunt v. Purdue Pharma L.P. et al.*, No. 1:18-op-45681-DAP (N.D. Ohio), Compl. ¶ 41 (same); *Salmons v. Purdue Pharma L.P. et al.*, No. 18-op-45268-DAP (N.D. Ohio), Compl. ¶ 42 (same); *Wood v. Purdue Pharma L.P. et al.*, No. 1:18-op-45264-DAP (N.D. Ohio), Compl. ¶ 41 (same).

All cases involving these common issues should remain in the Opiate MDL to eliminate duplicative discovery; prevent inconsistent pretrial rulings; and conserve the resources of the parties, their counsel, and the judiciary. Even Movants concede that continued coordination with the Opiate MDL is desirable. *See* Mot. 3 (“Movants envision that discovery in the [NAS] MDL would be coordinated with Judge Polster in MDL 2804 in accord with 28 U.S.C. § 1407.”). Accordingly, the Panel should deny the Motion because Movants’ cases are properly administered in the already-existing Opiate MDL.

B. The Creation of a New MDL Would Contravene the Purpose of § 1407

Under the guise of coordination, Movants really seek the precise opposite: they aim to spin off a subset of cases in a manner that would frustrate the very purpose of centralized pretrial proceedings. Movants argue that they “bring unique claims . . . distinct from the claims of the government and corporate plaintiffs in MDL 2804” thus “making a separate MDL” necessary. Mot. 1-2. But, as this Panel has repeatedly held, including with respect to the Opiate MDL, “the presence of additional facts or differing legal theories is not significant where, as here, the actions still arise from a common factual core.” *In re Auto Body Shop Antitrust Litig.*, 37 F. Supp. 3d 1388 at 1390; *In re Nat’l Prescription Opiate Litig.*, MDL No. 2804, Doc. 2640, at 2 (October 3, 2018 Transfer Order) (transferring actions to the Opiate MDL because “[d]espite some factual variances among the actions, all contain a factual core common to the MDL actions,” including “the manufacturers’ allegedly improper marketing of such drugs”).⁵ Any alleged differences in the Movants’ claims are not a reason to create a new MDL to administer

⁵ *See also In re Epipen (Epinephrine Injection, USP) Mktg., Sales Practices & Antitrust Litig.*, 268 F. Supp. 3d 1356, 1359 (J.P.M.L. 2017); *In re Walgreens Herbal Supplements Mktg. & Sales Practices Litig.*, 109 F. Supp. 3d 1373, 1376 (J.P.M.L. 2015); *In re Home Depot, Inc.*, 65 F. Supp. 3d 1398, 1399 (J.P.M.L. 2014); *In re Equifax, Inc., Customer Data Security Breach Litig. (Kerobyan)*, MDL No. 2800, Doc 899, at 1-2 (October 5, 2018 Transfer Order); *In Re Facebook, Inc., Consumer Privacy User Profile Litig.*, MDL No. 2843, Doc. 165, at 2 (October 5, 2018 Transfer Order); *In Re Johnson & Johnson Talcum Powder Prods. Mktg. & Sales Practices and Prods. Liab. Litig.*, MDL No. 2738, Doc. 1422, at 1-2 (October 3, 2018 Transfer Order).

these cases. Instead, Judge Polster can “employ any number of pretrial techniques, such as establishing separate discovery and motion tracks, to manage pretrial proceedings efficiently” in the Opiate MDL. *In re Walgreens Herbal Supplements Mktg. & Sales Practices Litig.*, 109 F. Supp. 3d 1373, 1376 (J.P.M.L. 2015).

Granting Movants’ requested relief would set a dangerous precedent whereby any litigant who raises supposedly “unique” issues would be entitled to a separate MDL. Far from promoting the “just and efficient” conduct of proceedings, such a course would lead to the very inefficiencies that § 1407 is designed to avoid. All of the defendants and many of the Movants are already part of the existing Opiate MDL. Moreover, the case management orders in the Opiate MDL provide Movants with a means to participate in ongoing discovery through the PEC. *See In re Nat’l Prescription Opiate Litig.*, MDL No. 2804, Doc. 232 (April 11, 2018 Case Management Order One) (“All discovery directed to Defendants and non-party witnesses on behalf of Plaintiffs shall be undertaken by, or under the direction of, the PEC *on behalf of all Plaintiffs* with cases in these MDL proceedings.”) (emphasis added). The creation of a parallel MDL for claims arising out of the same common factual core as the Opiate MDL would create duplicative discovery, raise the specter of inconsistent pretrial rulings, and needlessly expend the resources of the parties, their counsel, and the judiciary—the precise opposite of the objectives of § 1407 coordination.

C. Movants’ Arguments Are More Properly Directed to Judge Polster

Movants’ arguments for the creation of a separate MDL are based on two fundamental points of contention: (1) their dissatisfaction with the “structure” of the Opiate MDL and (2) their “concerns with the leadership” of the MDL. *Id.* at 2. Movants would have the Panel second-guess the considered judgment of Judge Polster and involve itself in the quarrels between

Movants' counsel and the PEC. Well-settled precedent dictates that the Panel should refrain from doing so.

1. Management of the MDL Should Be Left to the Discretion of the Transferee Judge

As this Panel has repeatedly recognized, the MDL judge is best situated to manage an MDL and decide whether to create separate litigation tracks or remand actions to their transferor courts. *See, e.g., In re Nat'l Prescription Opiate Litig.*, MDL No. 2804 (Feb. 1, 2018 Transfer Order), Doc. 656 ("If the transferee judge determines that Section 1407 remand of any claim or type of action is appropriate, then he can suggest remand with minimum of delay"); *In re Walgreens Herbal Supplements Mktg. & Sales Practices Litig.*, 109 F. Supp. 3d at 1376 (The Panel has "long left the degree of coordination of involved actions to the sound discretion of the transferee judge."). Indeed, when creating the Opiate MDL, the Panel explained:

Should the transferee judge deem remand of any claims or actions appropriate (or, relatedly, the subsequent exclusion of similar types of claims or actions from the centralized proceedings), then he may accomplish this by filing a suggestion of remand to the Panel. . . . ***As always, we trust such matters to the sound judgment of the transferee judge.***

In re Nat'l Prescription Opiate Litig., MDL No. 2804, Doc. 328 at 4 (December 5, 2017 Transfer Order) (emphasis added). To date, Judge Polster has not made any recommendation to remand Movants' cases, which weighs strongly in favor of keeping them in the Opiate MDL for coordinated proceedings. *See In re Air Crash Near Nantucket Island, Mass.*, 162 F. Supp.2d 694, 695 (J.P.M.L. 2001) ("Absent a notice of suggestion of remand from the transferee judge to the Panel, any party advocating remand before the Panel bears a strong burden of persuasion.").

Additionally, Movants' dissatisfaction with the course of the Opiate MDL proceedings and Judge Polster's denial of their first motion for leave to create a separate litigation track cannot serve as the basis for the creation of a new MDL. The Panel made this clear in *In re*

Glenn W. Turner Enterp. Litig., 368 F. Supp. 805 (J.P.M.L. 1973). There, certain plaintiffs' attorneys in actions previously transferred for coordinated pretrial proceedings moved for retransfer to an alternative district with a different judge. *Id.* The Panel explained that "[i]t is clear that movants are dissatisfied with the course of the coordinated . . . pretrial proceedings in this litigation. But the Panel is not vested with authority to review decisions of district courts, whether they are transferor or transferee courts." *Id.* at 806 (citations omitted). The Panel further explained that "the prospect of an unfavorable ruling by the transferee court or the possibility that another district judge may be more favorably disposed to a litigant's contention is clearly not a factor considered by the Panel in exercising its discretion under Section 1407." *Id.* See also *In re Sundstrand Data Control, Inc. Patent Litig.*, 443 F. Supp. 1019, 1021 (J.P.M.L. 1978) ("[T]he Panel has neither the power nor the inclination to dictate in any way the manner in which the coordinated or consolidated pretrial proceedings are to be conducted by the transferee judge."); *In re Plumbing Fixtures*, 332 F. Supp. 1047, 1048 (J.P.M.L. 1971) ("Section 1407 does not authorize the Panel to act as an appellate forum for every litigant disgruntled by the rulings of a transferee judge.").

Here, the Panel should refrain from second-guessing Judge Polster's decisions on how to best structure and administer pretrial proceedings in the Opiate MDL. Indeed, Movants' renewed motion for leave to create a separate litigation track in the Opiate MDL remains under the consideration of Judge Polster. The Panel should allow Judge Polster to consider that motion in due course.

2. Movants' Relationship with the PEC Does Not Warrant the Creation of a New MDL

Movants inappropriately ask this Panel to address their “concerns with the [plaintiffs’] leadership” in the Opiate MDL. Mot. 2. Again, the proper course is for Movants to raise their grievances with Judge Polster.

The Panel has declined to adjudicate similar disputes in the context of a motion to vacate and made clear that the MDL Court, not the Panel, is the proper forum to raise such concerns. For example, in *In re Oil Spill by the Oil Rig “Deepwater Horizon” In the Gulf of Mexico, On April 20, 2010*, the plaintiff argued that “the MDL Plaintiffs’ Steering Committee cannot adequately or ethically represent” both the plaintiff and the other plaintiffs in that MDL. MDL No. 2179, Doc. 1561 at 2 (Aug. 9, 2013 Transfer Order). In holding that “[s]uch an argument . . . is properly directed to [the MDL judge] and not to us,” the Panel observed that “plaintiffs’ argument that transfer would deprive them of their constitutional rights to due process and equal protection is unsupported by any authority.” *Id.* at 3. Furthermore, the Panel aptly acknowledged that:

What has happened and what remains to happen in this MDL will inure to the substantial benefit of litigants in later-filed actions such as these. Permitting plaintiffs, at this juncture, to go their own way and litigate outside the MDL would severely disrupt the ongoing proceedings, as well as threaten to undo much of the substantial progress achieved to date.

Id.; see also *In re Equifax, Inc., Customer Data Sec. Breach Litig.*, MDL No. 2800, Doc. 841 (Aug. 7, 2018 Transfer Order with Simultaneous Separation and Remand) (rejecting plaintiff’s argument that “transfer violates his rights to due process, in that he will be unable to prosecute his claim without interference by [the MDL] leadership counsel”). The same is true here. The progress of the Opiate MDL “will inure to the substantial benefit” of the Movants, and permitting them to “litigate outside the MDL would severely disrupt the ongoing proceedings, as

well as threaten to undo much of the substantial progress achieved to date.” *In re Oil Spill by the Oil Rig “Deepwater Horizon” In the Gulf of Mexico, On April 20, 2010*, MDL No. 2179, Doc. 1561 at 3.

Like their dissatisfaction with the management of the Opiate MDL, Movants’ concerns about their relationship with the PEC are “properly directed to [the MDL judge] and not to [the Panel].” *Deepwater Horizon*, MDL No. 2179, Doc. 1561 at 2. Notably, Movants’ first motion for leave to file a motion to create a separate NAS track did not mention any issues with the PEC, and Movants’ second motion, which raises those concerns, remains pending. *See In re: Nat’l Prescription Opiate Litig.*, MDL No. 2804, Docs. 540 & 895. The Panel should allow Judge Polster to consider that motion in due course.

D. Alternatively, Should the Panel Create a Separate MDL for Movants, the Northern District of Ohio is the Most Appropriate Forum

For all of the reasons discussed above, the Panel should deny the Motion. If, however, the Panel creates a new, separate MDL (and the Panel should not), it should be before Judge Polster in the Northern District of Ohio. As the Panel found in creating the Opiate MDL, the Northern District of Ohio is “the appropriate transferee district” because Ohio “has a strong factual connection” to the opiate litigation. *In re Nat’l Prescription Opiate Litig.*, MDL No. 2804, Doc. 328 (December 5, 2017 Transfer Order) at 4. Furthermore, the “Northern District of Ohio presents a geographically central and accessible forum that is relatively close to the defendants’ various headquarters[.]” *Id.* Judge Polster is already familiar with the complex issues involved in these cases, and placing the MDL before him is the most efficient course to coordinate ongoing discovery. Movants themselves do not foresee the creation of an MDL without Judge Polster’s involvement. *See* Mot. 3 (“Movants envision that discovery in the [NAS] MDL would be coordinated with Judge Polster in MDL 2804 in accord with 28 U.S.C. § 1407.”).

Movants propose coordination in the Southern District of West Virginia because of its connection with the alleged opioid crisis. Mot. 6. But this ignores that 20 cases from West Virginia have already been transferred for coordinated proceedings before Judge Polster in the Northern District of Ohio. Movants alternatively, and without explanation, suggest the Southern District of Illinois as an appropriate forum. Over 30 cases from Illinois are pending before Judge Polster.

IV. CONCLUSION

For the reasons set forth above, the Panel should deny Movants' motion for transfer of actions pursuant to 28 U.S.C. § 1407. These cases should remain in the Opiate MDL for centralized proceedings.

Dated: October 12, 2018

Respectfully submitted,

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**BEFORE THE UNITED STATES JUDICIAL PANEL
ON MULTIDISTRICT LITIGATION**

IN RE: INFANTS BORN OPIOID-DEPENDENT PRODUCTS LIABILITY LITIGATION

MDL No. 2872

CERTIFICATE OF SERVICE

In compliance with Rule 4.1(a) of the Rules of Procedure for the United States Judicial Panel on Multidistrict Litigation, I hereby certify that on the 12th day of October, 2018, a true and correct copy of the foregoing, Manufacturer Defendants' Opposition to Motion for Transfer of Actions Pursuant to 28 U.S.C. § 1407 for Coordinated or Consolidated Pretrial Proceedings was served upon the counsel listed on the attached Service List via the means described therein.

Dated: October 12, 2018

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**IN RE NATIONAL PRESCRIPTION OPIATE LITIGATION
MDL NO. 2872**

SERVICE LIST

Melissa Ambrosio et al. v. Purdue Pharma L.P. et al., Case No. 1:18-op-45375 (N.D. Ohio)

The CM/ECF system will serve attorneys for:

- Melissa Amrobsio, individually and as next friend of Baby G.A., on behalf of themselves and all others similarly situated
- Purdue Pharma L.P.; Purdue Pharma, Inc.; The Purdue Frederick Company, Inc.
- McKesson Corporation
- Cardinal Health, Inc.
- Amerisourcebergen Corporation
- Teva Pharmaceutical Industries, Ltd.; Teva Pharmaceuticals USA, Inc; Cephalon, Inc.
- Johnson & Johnson; Janssen Pharmaceuticals, Inc.; Ortho-McNeil-Janssen Pharmaceuticals, Inc. n/k/a Janssen Pharmaceuticals, Inc.; Janssen Pharmaceutica Inc. n/k/a Janssen Pharmaceuticals, Inc.
- Allergan PLC f/k/a Actavis PLC; Watson Pharmaceuticals, Inc. n/k/a Actavis, Inc.; Watson Laboratories, Inc.; Actavis LLC; Actavis Pharma, Inc. f/k/a Watson Pharma, Inc.

**IN RE NATIONAL PRESCRIPTION OPIATE LITIGATION
MDL NO. 2872**

SERVICE LIST

Flanagan et al. v. Purdue Pharma L.P. et al, Case No. 1:18-op-45405 (N.D. Ohio)

The CM/ECF system will serve attorneys for:

- Darren and Elena Flanagan, individually and as adoptive parents and next friends of Baby K.L.F., on behalf of themselves and all others similarly situated
- Purdue Pharma L.P.; Purdue Pharma, Inc.; The Purdue Frederick Company, Inc.
- McKesson Corporation
- Cardinal Health, Inc.
- Amerisourcebergen Corporation
- Teva Pharmaceutical Industries, Ltd.; Teva Pharmaceuticals USA, Inc.; Cephalon, Inc.
- Johnson & Johnson; Janssen Pharmaceuticals, Inc.; Ortho-McNeil-Janssen Pharmaceuticals, Inc. n/k/a Janssen Pharmaceuticals, Inc.; Janssen Pharmaceutica Inc. n/k/a Janssen Pharmaceuticals, Inc.
- Allergan PLC f/k/a Actavis PLC; Watson Pharmaceuticals, Inc. n/k/a Actavis, Inc.; Watson Laboratories, Inc.; Actavis LLC; Actavis Pharma, Inc. f/k/a Watson Pharma, Inc.

**IN RE NATIONAL PRESCRIPTION OPIATE LITIGATION
MDL NO. 2872**

SERVICE LIST

Hunt v. Purdue Pharma L.P. et al., Case No. 1:18-op-45681 (N.D. Ohio)

The CM/ECF system will serve attorneys for:

- Shannon Hunt, individually and as next friend of Baby S.J., on behalf of themselves and all others similarly situated
- Purdue Pharma L.P.; Purdue Pharma, Inc.; The Purdue Frederick Company, Inc.
- McKesson Corporation
- Cardinal Health, Inc.
- Amerisourcebergen Corporation
- Teva Pharmaceutical Industries, Ltd.; Teva Pharmaceuticals USA, Inc.; Cephalon, Inc.
- Johnson & Johnson; Janssen Pharmaceuticals, Inc.; Ortho-McNeil-Janssen Pharmaceuticals, Inc. n/k/a Janssen Pharmaceuticals, Inc.; Janssen Pharmaceutica Inc. n/k/a Janssen Pharmaceuticals, Inc.
- Allergan PLC f/k/a Actavis PLC; Watson Pharmaceuticals, Inc. n/k/a Actavis, Inc.; Watson Laboratories, Inc.; Actavis LLC; Actavis Pharma, Inc. f/k/a Watson Pharma, Inc.

**IN RE NATIONAL PRESCRIPTION OPIATE LITIGATION
MDL NO. 2872**

SERVICE LIST

Moore et al. v. Purdue Pharma L.P. et al., Case No. 2:18-cv-01231 (S.D.W. Va.)

The CM/ECF system will serve attorneys for:

- Bobbie Lou Moore, individually and as next friend and guardian of minor R.R.C., on behalf of themselves and all others similarly situated
- Purdue Pharma L.P.; Purdue Pharma, Inc.; The Purdue Frederick Company, Inc.
- McKesson Corporation
- Cardinal Health, Inc.
- Amerisourcebergen Corporation
- Teva Pharmaceutical Industries, Ltd.; Teva Pharmaceuticals USA, Inc.; Cephalon, Inc.
- Johnson & Johnson; Janssen Pharmaceuticals, Inc.; Ortho-McNeil-Janssen Pharmaceuticals, Inc. n/k/a Janssen Pharmaceuticals, Inc.; Janssen Pharmaceutica Inc. n/k/a Janssen Pharmaceuticals, Inc.
- Allergan PLC f/k/a Actavis PLC; Watson Pharmaceuticals, Inc. n/k/a Actavis, Inc.; Watson Laboratories, Inc.; Actavis LLC; Actavis Pharma, Inc. f/k/a Watson Pharma, Inc.

**IN RE NATIONAL PRESCRIPTION OPIATE LITIGATION
MDL NO. 2872**

SERVICE LIST

Rees et al. v. McKesson Corporation et al., Case No. 1:18-op-45252 (N.D. Ohio)

The CM/ECF system will serve attorneys for:

- Derric and Ceonda Rees, individually and as next friend and guardian of baby T.W.B. on behalf of themselves and all others similarly situated
- McKesson Corporation
- Cardinal Health, Inc.
- Amerisourcebergen Corporation
- Purdue Pharma L.P.; Purdue Pharma, Inc.; The Purdue Frederick Company, Inc.
- Teva Pharmaceutical Industries, Ltd.; Teva Pharmaceuticals USA, Inc.; Cephalon, Inc.
- Johnson & Johnson; Janssen Pharmaceuticals, Inc.; Ortho-McNeil-Janssen Pharmaceuticals, Inc. n/k/a Janssen Pharmaceuticals, Inc.; Janssen Pharmaceutica Inc. n/k/a Janssen Pharmaceuticals, Inc.
- Allergan PLC f/k/a Actavis Plc; Watson Pharmaceuticals, Inc. n/k/a Actavis, Inc.; Watson Laboratories Inc.; Actavis LLC; Actavis Pharma, Inc. f/k/a Watson Pharma, Inc.

**IN RE NATIONAL PRESCRIPTION OPIATE LITIGATION
MDL NO. 2872**

SERVICE LIST

Salmons et al. v. Purdue Pharma L.P. et al., Case No. 1:18-op-45268 (N.D. Ohio)

The CM/ECF system will serve attorneys for:

- Virginia Salmons, individually and as the next friend or guardian of Minor W.D. and on behalf of all others similarly situated
- Purdue Pharma L.P.; Purdue Pharma, Inc.; The Purdue Frederick Company, Inc.
- McKesson Corporation
- Cardinal Health, Inc.
- Amerisourcebergen Corporation
- Teva Pharmaceutical Industries, Ltd.; Teva Pharmaceuticals USA, Inc.; Cephalon, Inc.
- Johnson & Johnson; Janssen Pharmaceuticals, Inc.; Ortho-McNeil-Janssen Pharmaceuticals, Inc. n/k/a Janssen Pharmaceuticals, Inc.; Janssen Pharmaceutica Inc. n/k/a Janssen Pharmaceuticals, Inc.
- Allergan PLC f/k/a Actavis Plc; Watson Pharmaceuticals, Inc. n/k/a Actavis, Inc.; Watson Laboratories, Inc.; Actavis LLC; Actavis Pharma, Inc. f/k/a Watson Pharma, Inc.

**IN RE NATIONAL PRESCRIPTION OPIATE LITIGATION
MDL NO. 2872**

SERVICE LIST

Wood v. Purdue Pharma L.P. et al., Case No. 1:18-op-45264 (N.D. Ohio)

The CM/ECF system will serve attorneys for:

- Rachel Wood, individually and as next friend and adopted Mother of Baby O.W., on behalf of themselves and all others similarly situated
- Purdue Pharma L.P.; Purdue Pharma, Inc.; The Purdue Frederick Company, Inc.
- McKesson Corporation
- Cardinal Health, Inc.
- Amerisourcebergen Corporation
- Teva Pharmaceutical Industries, Ltd.; Teva Pharmaceuticals USA, Inc.; Cephalon, Inc.
- Johnson & Johnson; Janssen Pharmaceuticals, Inc.; Ortho-McNeil-Janssen Pharmaceuticals, Inc. n/k/a Janssen Pharmaceuticals, Inc.; Janssen Pharmaceutica Inc. n/k/a Janssen Pharmaceuticals, Inc.
- Allergan Plc f/k/a Actavis Plc; Watson Pharmaceuticals, Inc. n/k/a Actavis, Inc.; Watson Laboratories, Inc.; Actavis LLC; Actavis Pharma, Inc. f/k/a Watson Pharma, Inc.