

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

IN RE SUBOXONE)	Case No. 1:24-md-3092
(BUPRENORPHINE/NALOXONE))	
FILM PRODUCTS LIABILITY)	MDL No. 3092
LITIGATION)	
)	Judge J. Philip Calabrese
This Document Applies to All Cases)	
)	

MINUTES AND ORDER

On July 18, 2024, the Court held a status conference.

The following attended on behalf of Plaintiffs: Ashlie Case Sletvold, Erin Copeland, Timothy Becker, Alyson Steele Beridon, and Trent Miracle.

The following attended on behalf of Defendants Indivior, Inc., Indivior Solutions, Inc., Indivior PLC, Aquestive Therapeutics, Inc., Reckitt Benckiser LLC, and Reckitt Benckiser Health Care (UK) Ltd.: Randall Christian, Mary R. Pawelek, Denise A. Dickerson, Katherine Bell-Moss, Paige Cheung, and Jesse Joslin.

The following attended remotely: Juan M. Garibay, Sara Schramm, Michelle Rodriguez, Laura Smith, Sara Watkins, Michelle Rossi, Stan Gipe, Davis Cooper, Joe Masterman, Joyce Chambers Reichard, Jessica Wieczorkiewicz, Sara Papantonio, Lisa Gorshe, Kathryn Avila, Edward Mosella, Patrick DeLaune, Jon Ver Halen, Lee Floyd, Rachel Archambeau, Lissa Racer, Jennifer Duffy, Paul Levin, Jeremy Levin, Alex Parker, Glenn Kohles, Jr., Asim Badaruzzaman, Megan Connolly, Gerardo Guerra, Chrisitan van Lierop, James Kimball, David Chasen, Sina Toussi, Edwin Guyandi, Reza Keshavarz, and Victor Alves.

The Court and counsel addressed the items on the agenda as follows::

1. ESI Protocol

Counsel presented their positions on disputed portions of the ESI protocol on the record. The Court addressed their positions, stated its preferences and edits, and directed the parties to redraft and submit the protocol for the Court's review.

Additionally, the Court directed the parties to identify their respective ESI coordinators in a single notice on the docket.

2. Schedule A Complaint

The parties updated the Court on their ongoing discussions about converting the Schedule A complaint into a tolling agreement and advised that they are close to reaching an agreement. The Court directed the parties to file a status report detailing the progress of these discussions by August 1, 2024.

3. Status of Discovery

Defendants confirmed that they are in the process of producing the IND and NDA for Suboxone film and tablets. Relating to antitrust and patent litigation, they will serve amended discovery responses by early next week and supplement their related document production on a rolling basis. Defense counsel also provided an update on the existence and availability of expert reports from those cases. The Court directed Defendants to obtain and file written statements from counsel of record in those cases confirming that information by August 5, 2024.

The parties disagree about the discoverability of documents and information relating to the buprenorphine drug Sublocade and whether it could serve as an alternative design for Suboxone film as a matter of law. In light of the forthcoming

Rule 12 motions, the Court deferred that matter but will address it again at the next status conference.

4. Exchange of Information from Claimants

The parties discussed their positions on how they should collect and exchange case-specific information. Based on these discussions, the Court directed the parties to negotiate a protocol for the exchange of information from claimants generally and leading to cases for further discovery or, ultimately, trial. By August 16, 2024, the parties shall separately submit to the Court the information that, based on what they know now, (1) they respectively believe will determine a representative sample of claimants; and (2) each will need and use to drive resolution. By August 27, 2024, the Court directed the parties to submit the PLC's proposal and Defendants' proposal.

5. Next Status Conference

The Court sets a status conference for September 4, 2024 at 8:30 a.m. in Chambers 16B, Carl B. Stokes U.S. Courthouse, 801 West Superior Avenue, Cleveland, Ohio. Those who wish to listen by phone shall notify the Court's MDL Clerk, Corey McCardle (corey_mccardle@ohnd.uscourts.gov) by August 30, 2024. The parties shall submit an agenda for the conference by August 29, 2024. Additionally, the Court sets a status conference for the afternoon of October 4, 2024 that will continue to October 5, 2024.

SO ORDERED.

Dated: July 19, 2024

A handwritten signature in black ink, appearing to read "J. Calabrese", written in a cursive style.

J. Philip Calabrese
United States District Judge
Northern District of Ohio