

**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 November 21, 2024, the Court held a status conference by Zoom on the record.

The following attended from the Plaintiffs' Leadership Committee on behalf of Plaintiffs: Tim Becker, Ashlie Case Sletvold, Erin Copeland, Trent Miracle, and Alyson Steele Beridon.

The following attended on behalf of Defendants Indivior, Inc., Indivior Solutions, Inc., and Aquestive Therapeutics, Inc.: Randall Christian, Mary R. Pawelek, Denise A. Dickerson, Paige L. Cheung, Patrick DeLaune, and Dorinda Varley.

The following also attended: Michelle Rodriguez, Sara Watkins, Stan Gipe, Davis Cooper, Joyce Chambers Reichard, Kathryn Avila, Kristi McGregor, Jim O'Brien, Davis Cooper, Jeff Proper, and Megan Heller.

On the record, the Court and counsel addressed the items from the joint agenda (ECF No. 159) as follows:

**1. Amendment of CMO No. 3**

The Court and counsel discussed Amended CMO No. 3 (ECF No. 52) in light of the dismissal of Indivior PLC, Reckitt Benckiser LLC, and Reckitt Benckiser Healthcare (UK) Ltd. on September 10, 2024. Counsel provided an overview of proposed amendment to deal with service of these former parties by email post-dismissal.

Defendants raised an additional issue regarding how administratively to handle parties who received an automated email September 10, 2024 and November 21, 2024 suggesting that these former parties accepted service. The Court made clear that Indivior PLC, Reckitt Benckiser LLC, and Reckitt Benckiser Healthcare (UK) Ltd. were no longer parties to the suit (except in one case discussed below), so there was no service as to those parties to waive and no need for motions, dismissals, or other paperwork necessary to confirm or effect their dismissal. Additionally, the Court stated that it sees no issue with amending the response email to reflect the dismissal of these parties.

**2. Update on Rubris Crosslink Platform**

Counsel provided an update to the Court regarding the status of the Rubris Crosslink platform, including training of counsel and a timeline for identifying and clarifying counsel in any duplicate filings of cases or their listing on Schedule A. Also, counsel stated that the census form will go live on December 9, 2024. The Court directed the parties to file status reports with the Court after (1) the December 13,

2024 deadline for completion of the process for resolution of any dual representations and (2) after the deadline of January 13, 2025 for the initial number of cases that will fall off Schedule A. (*See* CMO No. 12, ECF No. 158, §§ II.C. & II.D.)

### **3. Individual Case Filings**

Two separate issues were discussed regarding individual case filings.

First, *Cook* (No. 1:24-sf-65709) was filed on September 23, 2024—after dismissal of Indivior PLC, Reckitt Benckiser LLC, and Reckitt Benckiser Healthcare (UK) Ltd. but named them as Defendants. Then, Plaintiff filed an amended complaint removing all three parties from the complaint’s caption but not from the identification of the parties in the amended complaint. (*See* ECF No. 2, ¶ 19, PageID #287.) To clarify that Plaintiff is not proceeding against these Defendants, Plaintiff moved to dismiss those three parties. (ECF No. 3.) So that the record is clear, the Court **ORDERS** Plaintiff to file a second amended complaint in the *Cook* case to remove these Defendants from his allegations.

Second, the Court inquired about recent filings on the MDL docket (ECF No. 160; ECF No. 161; ECF No. 162). Based on a brief discussion with counsel regarding the filings, the Court directed Ms. Beridon to liaise with the counsel in that case and remedy the issue.

### **4. Discovery Issues**

Counsel agreed that they are awaiting the Court’s ruling on the pending motion to dismiss before concluding their discussion on search terms. Additionally, Defendants represented that they expect to deliver adverse event information early next week.

**5. Oral Argument on Motion to Dismiss**

The Court set oral argument on the pending motion to dismiss for December 16, 2024 at 9:00 a.m., in Courtroom 16B.

If there are any additional issues the Court should take up at the hearing, the Court requests that the parties submit a joint report listing the issues by 12:00 p.m. on December 12, 2024.

**6. Medical Records**

Counsel stated that they have discussed a stipulated order to govern production of medical records and requested that the Court consider and enter an order to standardize, expedite, and facilitate these productions. Based on the discussion with counsel, the Court directs the counsel to file a proposed order as soon as practicable.

**SO ORDERED.**

Dated: November 21, 2024



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