UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION	)	**CASE NO. 1:17-MD-2804**
	)	
	)	**JUDGE POLSTER**
	)	
	)	**ORDER REGARDING REMANDS**

On December 14, 2017, the Court issued a "moratorium on all filings" (Doc. #4), and later continued "the moratorium on all substantive filings" by order dated January 11, 2018 (Doc. #70). It has come to the Court's attention that the parties are concerned this moratorium may result in a waiver of certain rights and obligations of the parties to seek remand to state court. Therefore, it is hereby ordered that:

- the moratorium on all substantive filings shall include all motions to remand;
- all statutory deadlines are hereby suspended regarding motions to remand;
- upon lifting the moratorium by subsequent order of this Court, the parties shall be allowed to file motions to remand without waiver of any rights or obligations related to timeliness;
- in order to avoid unnecessary motion practice during the pendency of the moratorium, the parties will not be deemed to have waived any right to seek remand by failing to move for remand in the transferor court, or by agreeing not to oppose a Conditional Transfer Order allowing the cases to be transferred to this Court.

Furthermore, the existing moratorium does not apply to entry on the docket of executed waivers of service of process – these waivers may be filed. Filing on the docket of waivers of service of

process, however, does not change the effect of the moratorium, such that: (1) the parties may not file responsive pleadings (e.g. answers or motions to dismiss): and (2) upon lifting of the moratorium by subsequent order of this Court, the parties shall be allowed to file responsive pleadings and motions without waiver of any rights or obligations related to timeliness.

IT IS SO ORDERED.

/s/ Dan Aaron Polster
DAN AARON POLSTER
UNITED STATES DISTRICT JUDGE

Dated: February 16, 2018