

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

IN RE NATIONAL PRESCRIPTION  
OPIATE LITIGATION

This document relates to:  
*The County of Summit, Ohio, et al. v. Purdue  
Pharma L.P., et al.*  
Case No. 18-op-45090

*The County of Cuyahoga v. Purdue Pharma  
L.P., et al.*  
Case No. 17-op-45004

*The City of Cleveland v. AmerisourceBergen  
Drug Corp., et al.*  
Case No. 18-op-45132

MDL No. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

**AGREED ORDER REGARDING ANSWERS TO  
THE COUNTY OF SUMMIT, OHIO'S THIRD AMENDED COMPLAINT**

WHEREAS, in Case Management Order No. 1 [Dkt. 232], this Court authorized discovery to proceed in the following three actions (the "Track One Cases"): (1) *The County of Summit, Ohio. v. Purdue Pharma L.P.*, Case No. 18-OP-45090 (N.D. Ohio); (2) *The County of Cuyahoga v. Purdue Pharma L.P.*, Case No. 17-OP-45004 (N.D. Ohio); and (3) *City of Cleveland v. AmerisourceBergen Drug Corp.*, Case No. 18-OP-45132 (N.D. Ohio); and

WHEREAS, on February 15, 2019, this Court entered an Order allowing the Plaintiffs in the Track One Cases to amend their complaints to add as defendants certain "additional U.S. subsidiaries of Allergan, PLC." [Dkt. 1377].

WHEREAS, on March 21, 2019, the County of Summit, Ohio and the City of Akron, Ohio filed their Third Amended Complaint. [Dkt. 1466] (the "Third Amended Complaint"). In the Third Amended Complaint, the County of Summit, Ohio and the City of Akron, Ohio added the following entities as defendants: Allergan Sales, LLC, Allergan USA, Inc., Warner Chilcott

Company, Actavis South Atlantic LLC, Actavis Elizabeth LLC, Actavis Mid Atlantic LLC, Actavis Totowa LLC, Actavis LLC, Actavis Kadian LLC, Actavis Laboratories UT, Inc. f/k/a Watson Laboratories, Inc.-Salt Lake City, and Actavis Laboratories FL, Inc. f/k/a Watson Laboratories, Inc.-Florida (the “Newly-Named Defendants”).

IT IS HEREBY ORDERED that:

1. Only the Newly-Named Defendants, and no other defendants, need answer the Third Amended Complaint by May 3, 2019<sup>1</sup>;
2. The Newly-Named Defendants shall answer all allegations in the Third Amended Complaint that relate to each respective Newly-Named Defendant. With respect to the remaining allegations, and with respect to affirmative defenses, the Newly-Named Defendants may answer separately or may join in and incorporate by reference the Answer/Responsive Pleadings already submitted by other Allergan or Actavis entities; and
3. All other answers by all other defendants to the Summit County Second Amended Complaint to allegations that are repeated in the Third Amended Complaint remain operative.

**IT IS SO ORDERED.**

/s/ David R. Cohen  
**David R. Cohen**  
**Special Master**

**Dated: April 25, 2019**

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<sup>1</sup> Nothing in this Order waives or affects any objection or defense the Newly-Named Defendants may assert in their respective answers. Nothing in this Order waives or affects those provisions of the Federal Rules of Civil Procedure concerning the content of the Newly-Named Defendants’ answers.