

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION ) MDL 2804  
OPIATE LITIGATION )  
 ) Case No. 1:17-md-2804  
THIS DOCUMENT RELATES TO: )  
 ) Judge Dan Aaron Polster  
*Track One Cases* )  
 ) HOUSEKEEPING ORDER  
 )

The *Track One* trial, scheduled to begin on October 21, 2019, was settled and the claims dismissed or severed. *See* Doc. #: 2868. As a result, the currently pending *Track One* trial motions listed below are **DENIED AS MOOT**.

- Cardinal Health, Inc.'s Motion for Pro Rata Trial Time Apportionment (**Doc. #: 2766**)
- Non-Party David Gustin's Motion to Quash Subpoena (**Doc. #: 2795**)
- Certain Defendants' Motion to Overrule Plaintiffs' Procedural Objection to Testimony from Their Own Expert Witnesses (**Doc. #: 2797**)
- Cardinal Health's Motion to Quash Trial Subpoena to Jennifer Norris, Esq. (**Doc. #: 2807**)
- Defendants' Motion to Preclude Attorneys and Witnesses' Extrajudicial Statements (**Doc. #: 2812**)
- Motion of Non-Party Paul Andrew Pyfer Objecting to Plaintiffs' Listing of Pyfer as a Live Stream Witness (**Doc. #: 2822**)
- Defendants' Motion to Postpone Trial Due to Eve-of-Trial Prejudicial Publicity (**Doc. #: 2832**)
- Motion to Quash Trial Subpoena to Walgreens Employee Deborah Bish (**Doc. #: 2835**)
- Non-Party Motion to Quash Trial Subpoena of Kenneth Mills (**Doc. #: 2850**)
- Motion for Reconsideration of the Court's Ruling on Distributor Motion In Limine No. 3 and McKesson Motion In Limine No. 2 (**Doc. #: 2852**)

- Defendants' Motion In Limine to Preclude Certain Prejudicial Statements and Testimony (**Doc. #: 2857**)

Accordingly, in lieu of the settlement agreement reached by the parties, these motions are

**DENIED AS MOOT.**

Similarly, the Parties to the *Track One* trial have also filed the following objections:

- Objection to Order Regarding Adjudication of Plaintiffs' Public Nuisance Claims (**Doc. #: 2791**)
- Distributor Defendants' Objection to October 13, 2019 Discovery Ruling Permitting New Expert Opinions Incorrectly Labeled as "Errata" (**Doc. #: 2820**)
- Plaintiffs' Objection to Special Master's October 15, 2019 Ruling Permitting Defendants to Designate Certain Pharmacists As Trial Witnesses (**Doc. #: 2845**)
- Defendants' Objection to Preliminary Jury Charge (**Doc. #: 2861**)
- Various Party objections to witness and exhibit lists (*passim.*)

Accordingly, in lieu of the settlement agreement reached by the Parties, the various objections listed above are now **MOOT**.

**IT IS SO ORDERED.**

/s/ Dan Aaron Polster October 22, 2019  
**DAN AARON POLSTER**  
**UNITED STATES DISTRICT JUDGE**