

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

*In re National Prescription Opiate Litigation*

Case No. 17-md-2804

This Document Relates To: “Track Nine”

Judge Dan Aaron Polster

**Stipulated Order Extending Stay and Modifying Track 9 Deadlines**

By stipulation of plaintiff Tarrant County, Texas (“Plaintiff”), and defendants Albertsons, CVS, Kroger, Walgreens, and Walmart<sup>1</sup> the stay in this action is hereby extended until April 3, 2023. Upon expiration of the stay, the parties will confer and submit proposed modifications to the Track 9 discovery and other deadlines set forth in the Court’s September 2, 2022, Order Granting Joint Motion to Modify Case Management Orders for Tracks Eight, Nine, Ten, and Eleven, tracking the schedule in existence prior to the stay to the greatest extent possible, and will seek the Court’s approval of a modified schedule. This stipulation applies solely to the deadlines in Track 9.

SO STIPULATED:

/s/ Tina M. Tabacchi

Tina M. Tabacchi

Tara A. Fumerton

JONES DAY

110 N. Wacker Dr., Suite 4800

Chicago, IL 60601

Phone: (312) 782-3939

E-mail: [tmtabacchi@jonesday.com](mailto:tmtabacchi@jonesday.com)

E-mail: [tfumerton@jonesday.com](mailto:tfumerton@jonesday.com)

***Counsel for Walmart***

---

<sup>1</sup> These Defendants are: Albertson Companies, Inc., Albertson’s LLC, Safeway, Inc., Randall’s Food & Drug LP and United Supermarkets L.L.C. d/b/a The United Family (collectively, “Albertsons”); CVS Indiana L.L.C., CVS Rx Services, Inc., and CVS Pharmacy, Inc. (collectively, “CVS”); The Kroger Co., Kroger Texas LP, Kroger Limited Partnership I and Kroger Limited Partnership II (collectively, “Kroger”); Walgreen Co., Walgreens Boots Alliance, Inc., and Walgreen Eastern Co., Inc., (collectively, “Walgreens”); and Walmart Inc., Wal-Mart Stores East, LP, Wal-Mart Stores East, LLC, Wal-Mart Stores Texas, LLC, WSE Management, LLC, WSE Investment LLC, Sam’s East, Inc., and Sam’s West, Inc. (collectively, “Walmart”).

/s/ Francis A. Citera

Francis A. Citera  
Gretchen N. Miller  
GREENBERG TRAURIG, LLP  
77 W. Wacker Drive, Suite 3100  
Chicago, IL 60601  
(312) 456-8400  
Email: citeraf@gtlaw.com  
Email: millerg@gtlaw.com

***Counsel for Albertsons***

/s/ Kaspar J. Stoffelmayr

Kaspar J. Stoffelmayr  
BARTLIT BECK LLP  
54 West Hubbard Street  
Chicago, Illinois 60654  
Phone: (312) 494-4400  
Email: kaspar.stoffelmayr@bartlitbeck.com

Alex J. Harris  
BARTLIT BECK LLP  
1801 Wewatta Street, 12th Floor  
Denver, CO 80202  
Phone: (303) 592-3100  
Email: alex.harris@bartlitbeck.com

***Counsel for Walgreens***

/s/ Eric R. Delinsky

Eric R. Delinsky  
Alexandra W. Miller  
Paul B. Hynes, Jr.  
ZUCKERMAN SPAEDER LLP  
1800 M Street, N.W., Suite 1000  
Washington, D.C. 20036  
Phone: (202) 778-1800  
E-mail: edelinsky@zuckerman.com  
E-mail: smiller@zuckerman.com  
E-mail: phynes@zuckerman.com

***Counsel for CVS***

/s/ Ronda L. Harvey

Ronda L. Harvey  
Fazal A. Shere  
Ashley Hardesty Odell  
BOWLES RICE LLP  
600 Quarrier Street  
Charleston, West Virginia 25301  
304-347-1100  
Email: rharvey@bowlesrice.com  
Email: fshere@bowlesrice.com  
Email: ahardestyodell@bowlesrice.com  
***Counsel for Kroger***

/s/ Jayne Conroy

Jayne Conroy  
SIMMONS HANLY CONROY  
112 Madison Ave., 7<sup>th</sup> Floor  
New York, NY 10016-7416  
(212) 257-8482  
jconroy@simmonsfirm.com  
***Counsel for Plaintiff***

\* \* \*

**SO ORDERED**

/s/Dan Aaron Polster

**Judge Dan Aaron Polster**

Dated: February 16, 2023