

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION)	CASE NO. 1:17-MD-2804
OPIATE LITIGATION)	
)	JUDGE POLSTER
THIS DOCUMENT RELATES TO:)	
)	
<i>All Cases</i>)	
)	ORDER REGARDING
)	<u>ARCOS SUBPOENA</u>

The Court has been made aware that Special Master Cohen has received two letter briefs – one from the Plaintiffs Executive Committee (“PEC”), and one from the U.S. Drug Enforcement Agency (“DEA”) – addressing a Subpoena issued by the PEC to the DEA for production of updated ARCOS data. The two letters are attached to this Order.

To ensure the issues surrounding this Subpoena are fully briefed by all parties who may be affected, and to ensure timely resolution of those issues, the Court now **ORDERS** as follows:

- The Court construes the PEC’s June 8, 2023 letter as a motion to enforce the subpoena, and construes the DEA’s June 15, 2023 letter as a response to that motion.
- Any MDL defendant who wishes to file a position statement regarding the issues raised by the PEC’s motion or the DEA’s response may file that statement on the MDL docket on or before June 29, 2023. The Court is particularly interested in the views of non-settling MDL defendants as to their need for updated ARCOS data for litigation and/or settlement

purposes.

- The PEC may file a reply to the DEA's response and to any position statements on or before July 11, 2023.

The Court will then rule on the PEC's motion.

IT IS SO ORDERED.

/s/ Dan Aaron Polster

DAN AARON POLSTER

UNITED STATES DISTRICT JUDGE

Dated: June 15, 2023