

**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
<i>All Cases</i>)	
)	<u>ORDER REGARDING PBMS' MOTION</u>
)	<u>TO STRIKE</u>
)	
)	
)	

On July 29, 2024, the PEC filed its omnibus motions for leave to amend complaints to add the PBMs as defendants (docket nos. 5547, 5548) (Omnibus Motions). On January 16, 2024, the PBMs filed their joint response (docket no. 5885). On February 11 and 18, 2025 the PBMs filed a motion to strike certain plaintiffs from the Omnibus Motions (docket no. 5941) (Motion to Strike) and a supplement thereto (docket no. 5952), asking the Court to strike from the Omnibus Motions scores of subdivision plaintiffs who, according to the PBMs, had not properly authorized their counsel to amend their complaints to add the PBMs.

On February 25, 2025, the Court held a Zoom status conference and declined to rule on the PBMs' Motion to Strike, but directed the PEC to determine whether any subdivisions had not authorized their counsel to amend to add the PBMs, and withdraw those subdivisions from the Omnibus Motions. The Court gave the PEC until March 25, 2025 to accomplish this task.

Subsequently, in an email exchange between the PEC, the PBMs, and Special Master Cohen, the PEC asked the Court for an extension until April 25, 2025 to comply with the Court's February 25 directive. The email exchange between the parties revealed that the parties disagreed

on whether the Court's directive mooted the PBMs' Motion to Strike. To clarify matters, the Court convened a hearing on March 12, 2025.

This Order memorializes the Court's rulings at the March 12 hearing. The Court **denies** the PEC's request for an extension to comply with the Court's February 25, 2025 directive and reaffirms the March 25, 2025 deadline. In addition, the Court grants the PBMs leave to file, by April 25, 2025, a supplemental opposition brief to the PEC's Omnibus Motion, to address only the issue of client non-authorization to amend to add the PBMs. Accordingly, the PBMs shall cease filing supplements to their Motion to Strike; the matters addressed in those supplements should be filed in the single supplemental opposition brief. The motion to strike is **DENIED** as moot.

IT IS SO ORDERED.

/s/ Dan Aaron Polster March 14, 2025
DAN AARON POLSTER
UNITED STATES DISTRICT JUDGE