

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

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

**THIS DOCUMENT RELATES TO:
“All Cases”**

) **Case No. 1:17-MD-2804**
)
) **David R. Cohen**
)
) **FEE PANEL ORDER NO. 46**
) **REGARDING APPLICATIONS**
) **FOR COST REIMBURSEMENTS**
) **FROM THE KROGER COST**
) **FUND**

The undersigned has previously received from counsel applications for reimbursement of eligible costs and expenses incurred **through December 31, 2023** from the seven Subdivision Cost and Expense Funds created pursuant to national opioid settlements with the following defendants: (1) Certain Distributors (McKesson Corporate, AmerisourceBergen Corporation n/k/a Cencora, and Cardinal Health, Inc.); (2) Janssen Pharmaceuticals, Inc.; (3) Allergan Finance LLC; (4) Teva Pharmaceuticals, Inc.; (5) Walmart, Inc.; (6) CVS Health Corporation; and (7) Walgreens Co. *See* FPO No. 41 (docket no. 5699). Since then, reimbursement funds from the Kroger Global Opioid Settlement Agreement Subdivision Cost and Expense Fund have become available to be distributed in accordance with terms and procedures previously established for the Joint Global Cost and Expense Fund. *See* Kroger Global Opioid Settlement Agreement, Exhibit R.

Accordingly, the undersigned will now receive applications for reimbursement of costs and expenses from the Kroger Subdivision Cost and Expense Fund (“Kroger Cost Fund”) for costs and expenses incurred **through December 31, 2024**. Only costs and expenses reasonably incurred in furtherance of active litigation of a designated state or federal bellwether trial-set case in pursuit

of claims against Kroger, or those that are Common Benefit, are eligible for reimbursement from the Kroger Cost Fund.

Applicants seeking reimbursement from these funds must submit an application using the Rubris Crosslink system. Firms that have previously submitted a Joint Global Cost and Expense Fund Application will receive a task notification from Crosslink to supplement their application with costs and expenses incurred through December 2024. New Applicants may request access to the application by emailing CrosslinkSupport@Rubris.com and including in the Subject Line: “Request for Application to the Kroger Subdivision Cost and Expense Fund.”

Application exemplars and detailed application instructions are available in Crosslink and posted to the Fee Panel’s website at www.OpioidFeePanelDocuments.com. Applications are due no later than **September 15, 2025**. Late applications will not be accepted without prior written leave of the Cost and Expense Fund Administrator and only for good cause shown.

IT IS SO ORDERED.

/s/ **David R. Cohen**
Cost and Expense Fund Administrator

Dated: July 14, 2025