

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

IN RE: NATIONAL PRESCRIPTION)	CASE NO. 1:17-MD-2804
OPIATE LITIGATION)	
)	SPECIAL MASTER COHEN
THIS DOCUMENT RELATES TO:)	
“All Cases”)	
)	DISCOVERY RULING NO. 14, PART 37
)	REGARDING OPTUMRX’S
)	PRIVILEGE CLAIMS

AGENDA ITEM NO. 437

During discovery in Tracks Twelve and Twenty-two, the OptumRx Defendants (Optum) withheld from production certain documents based on attorney-client privilege and attorney work product protection. The PEC challenged a number of these designations. The parties engaged in a productive meet-and-confer process that narrowed the number of disputed documents from twenty-nine to twenty-three. Optum has submitted the disputed documents to the Special Master for *in camera* review, and both parties have submitted letter briefs and other materials in support of their positions.¹ Having considered these submissions carefully, the Special Master now rules as follows on the challenged documents.

The Special Master has applied the legal standards and authorities set out in all prior “Discovery Rulings No. 14, Part x,” and incorporates them by reference.²

¹ Letters from Debolina Das to Special Master (July 22, 2025, August 5, 2025); letters from Pearl A. Robertson to Special Master (July 28, 2025, August 12 2025).

² *See, e.g.*, docket nos. 1321, 1353, 1359, 1380, 1387, 1395, 1498, 1593, 1610, 1666, 3979, and 5767.

Document Number	Ruling
PL 05077	Privilege Designation Sustained
PL 16063	Sustained
PL 17454	Overruled
PL 18153	Sustained
PL 18157	Sustained
PL 18158	Sustained
PL 18189	Sustained
PL 18190	Sustained
PL 18194	Sustained
PL 18195	Sustained
PL 18196	Sustained
PL 18197	Sustained
PL 18198	Sustained
PL 18199	Sustained
PL 18200	Sustained
PL 18212	Sustained
PL 18213	Sustained
PL 18236	Overruled
PL 18237	Overruled
PL 18238	Sustained
PL 18241	Sustained
PL 18242	Sustained
PL 18245	Sustained

Any party choosing to object to any aspect of this Ruling must do so on or before September 29, 2025.

RESPECTFULLY SUBMITTED,

/s/ David R. Cohen
David R. Cohen
Special Master

Dated: September 20, 2025