

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION) MDL No. 2804
OPIATE LITIGATION)
) Case No. 1:17-md-2804
THIS DOCUMENT RELATES TO:)
County of Monterey v. Amerisourcebergen) Judge Dan Aaron Polster
Drug Corporation et al.,)
No. 1:18-op-45615-DAP (“Track 21”)) **CASE TRACK 21**
SECOND AMENDED CASE
MANAGEMENT ORDER

On June 10, 2024, the Court entered an Amended Case Management Order for the Albertsons Bellwether Tracks. See Docket No. 5481. On September 19, 2025, the PEC and counsel for Albertsons notified the Special Master that they had met and conferred about extending certain interim deadlines in the Case Management Order and mutually agree to the following revised case management deadlines for Track 21, which extends the time for completion of fact discovery from October 10, 2025 to December 15, 2025, and makes corresponding changes to subsequent interim deadlines for Third-Party Discovery and Expert Discovery.

A. **Fact Discovery**

1. **December 5, 2025** – Close of Fact Discovery.

B. **Third Party Discovery**

1. **December 12, 2025** – Close of Third-Party Discovery.

C. **Expert Discovery**

1. **February 4, 2026** – Except for expert witnesses who will testify *only* in the abatement-phase of the CT21 trial, Plaintiffs shall serve expert reports and, for each expert, provide two proposed deposition dates between **February 18, 2026 and March 20, 2026**.
2. **April 6, 2026** – Except for expert witnesses who will testify *only* in the abatement-phase of the CT21 trial, Defendants shall serve expert reports and, for each expert, provide two proposed deposition dates between **April 20, 2026 and May 18, 2026**.

D. Dispositive and *Daubert* Motions (unchanged from June 10, 2024 Amended CMO)

1. **June 26, 2026** – Deadline to file dispositive and *Daubert* Motions.
2. **August 3, 2026** – Deadline to file response to dispositive and *Daubert* Motions.
3. **August 14, 2026** – Deadline to file replies to dispositive and *Daubert* Motions.

With respect to *Daubert* and dispositive motions, the Parties will meet and confer on mechanisms to further avoid unnecessary lengthy or duplicative briefing while preserving the record based on motions filed in separate tracks of the MDL and will make a separate proposal with regard to page limits.

IT IS SO ORDERED.

Date: September 22, 2025

s/Dan Aaron Polster
DAN AARON POLSTER
UNITED STATES DISTRICT JUDGE