UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE NATIONAL PRESCRIPTION OPIATE LITIGATION	)	**MDL No. 2804**
	)	
	)	**Case No. 1:17-md-2804**
THIS DOCUMENT RELATES TO:	)	
	)	**Judge Dan Aaron Polster**
City of Rochester v. Purdue Pharma, L.P. *No. 1:19-op-45853 (Track 12)*	)	

PBM BELLWETHER CASE TRACK 12 SEVENTH AMENDED CASE MANAGEMENT ORDER

On June 30, 2026, the Court entered the PBM Bellwether Case Track 12 Sixth Amended Case Management Order, ECF No. 6615. The Parties have now met and conferred and mutually agree to the following revised case management deadlines for Track 12, which extends the time for completion of fact discovery from August 21, 2026 to November 20, 2026, and extends all subsequent deadlines by approximately 70 days.

To ensure that these deadlines need not be extended further, and to permit the Parties the additional time needed to complete all fact discovery for Track 12 before the Track 12 fact discovery deadline, the Parties agree to cooperate in good faith and to update each other consistently on deposition scheduling issues, and to discuss actions, including filing motions to compel, that will be taken to ensure all fact and third party depositions are set to take place on a rolling basis before the discovery deadline and to allow both parties to properly staff the

depositions.[1] The Parties will make good faith efforts to avoid back-logging depositions at the end of the extended fact discovery period.

A. Fact Discovery

1. **November 20, 2026** – Close of Fact and Third-Party Discovery.[2]

B. Expert Discovery

1. **December 18, 2026**[3] – Track 12 Plaintiff's Deadline to serve expert reports.

2. **January 22, 2027 – February 26, 2027** – Window for PBM Defendants to depose Track 12 Plaintiff's experts.

3. **March 19, 2027**[4] – PBM Defendants' Deadline to serve expert reports.

4. **April 23, 2027 – May 28, 2027** – Window for Track 12 Plaintiff to depose PBM Defendants' experts.

5. If any expert reports rebutting responsive reports are served, they shall be served **21 days** after the deposition of the responsive expert, any materials relied on by the rebutting expert shall be produced within **7 days** of serving the rebuttal reports, and the Parties shall meet and confer regarding the

[1] Each Party shall respond promptly to requests for depositions of current or former employee witnesses and/or proposed deposition dates and make good faith efforts to respond within five business days or sooner from the date the deposition of a current employee is requested and/or dates are proposed. With respect to requests for a deposition of a current or former employee, the response shall either state that dates will not be provided, and provide the basis for same, or provide alternative dates for the deposition. With respect to proposed deposition dates, the response shall either accept the dates as proposed or propose alternative dates on which that Party is available.

[2] No party may serve additional written discovery requests on another party in Track 12. This agreement does not limit third-party discovery. The parties reserve their positions on all pending disputes.

[3] Track 12 Plaintiff shall serve expert reports on all issues except abatement and other remedies and, for each expert, shall provide two proposed depositions dates. The parties recognize that new relevant information or facts may come forward after the expert filing date that would support a request that a report be amended or supplemented with the approval of the Special Master or Court.

[4] PBM Defendants shall serve expert reports on all issues except abatement and other remedies and, for each expert, shall provide two proposed depositions dates. The parties recognize that new relevant information or facts may come forward after the expert filing date that would support a request that a report be amended or supplemented with the approval of the Special Master or Court.

timing of rebuttal expert depositions and an extension of the deadlines to file dispositive and *Daubert* motions.

C. Dispositive and *Daubert* Motions

1. **May 28, 2027** – Deadline to meet and confer on page limits for dispositive and *Daubert* motions.

2. **June 25, 2027** – Deadline to file dispositive and *Daubert* motions.

3. **August 26, 2027** – Deadline to file Responses to dispositive and *Daubert* motions.

4. **September 24, 2027** – Deadline for Replies in support of such dispositive and *Daubert* motions.

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

IT IS SO ORDERED.

Date: November 3, 2026

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