

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

IN RE SUBOXONE)	Case No. 1:24-md-3092
(BUPRENORPHINE/NALOXONE))	
FILM PRODUCTS LIABILITY)	MDL No. 3092
LITIGATION)	
)	Judge J. Philip Calabrese
This Document Applies to All Cases)	
)	

MINUTES AND ORDER

On July 14, 2025, the Court held a status conference by Zoom.

The following attended on behalf of Plaintiffs: Ashlie Case Sletvold, Tim Becker, Erin Copeland, and Trent Miracle.

The following attended on behalf of Defendants Indivior, Inc., Indivior Solutions, Inc., and Aquestive Therapeutics, Inc.: Randall Christian, Mary Pawelek, Jason Lundry, William Childs, and Denise Dickerson.

Additional attendees included: Layne Hilton, Luis Escobar, Lisa Gorshe, Jessica Wieczorkiewicz, Kathryn Avila, Michelle Rodriguez, Joyce Chambers Reichard, Kristine Kraft, Wesley Elmer, Wesley Guillory, Tatum Tipton, Kenia Fuentes, Jemma Cota, Pamela Corneaux, and Cobi Washington.

On the record, the Court and counsel discussed the following issues.

1. Discovery

1.a. Schedule A and Census Forms

The PLC provided an update regarding Schedule A and the census process, as outlined in its report. (ECF No. 284.) Currently, the number of claimants listed on

Schedule A stands at 8,333. A total of 1,216 census forms have been served, and there are 5,009 census forms in process in the Crosslink system.

1.a.i. Dual Representation

The PLC discussed with the Court the mechanical issue of handling the situation where the same claimant is listed on Schedule A and a joinder complaint. Counsel is working on a proposal to address such circumstances.

1.a.ii. Timing of Deficiency Notices

After meeting and conferring, the parties have agreed that Defendants will have until the end of the year to complete the deficiency process.

1.b. Discovery from Defendants

1.b.i. Rule 30(b)(6) Deposition Topics

Counsel raised two disputes about language included in the revised Rule 30(b)(6) deposition notices. For the reasons stated on the record, the Court addressed and ruled on each dispute.

1.b.ii. Non-Custodial Production Protocol

The Court directed counsel to submit, by August 15, 2025, a proposed protocol for the production of non-custodial documents and information or to make a joint submission identifying areas in dispute.

1.b.iii. ESI Protocol

The PLC raised a concern regarding the current protocol for discovery of electronically stored information. In the first wave of custodial productions, the PLC reported that 515,000 of 791,000 documents had attachments withheld as non-responsive child attachments. Defendants represented that they complied with the

protocol and became aware of the issue on Friday, July 11, 2025. In some cases, the files at issue were non-responsive. Others related to the method a predecessor entity used for storing electronic information. Because the issue just arose, the Court directed counsel to confer on the need for any modification to the protocol, whether limited production of metadata might be appropriate, or other steps such as limited rehydration of the attachments or documents at issue might aid the parties' review.

1.b.iv. Redactions in Transcripts from Prior Litigation

Counsel reported an agreement to resolve a dispute about certain redactions in transcripts produced from prior litigation.

2. Bellwether Protocol

Counsel for Defendants reported that 199 Plaintiffs in the Records Collection Pool submitted authorizations only and 158 Plaintiffs have submitted both authorizations and census forms. (ECF No. 285.) Records collection is substantially complete for 1 Plaintiff. (*Id.*)

2.a. Amended CMOs

Due to a records issue with the authorizations for certain clinics, counsel expect to seek limited amendment of prior Case Management Orders, specifically Case Management Order No. 12; Case Management Order No. 13; and Case Management Order 15, to address the issue. Counsel reported they are working on language to address this issue and will submit it for the Court's approval as soon as practicable.

2.b. Forthcoming Orders

The parties identified two more agreements that will be reduced to writing and submitted to the Court shortly. First, for Plaintiffs who are not a part of the census (Case Management Order No. 12), those with claims filed between October 7, 2024 and October 1, 2025 will complete census forms by June 1, 2026. Therefore, Plaintiffs will have sixty days from filing to complete the census. Second, the parties agreed to the timing of and process for identifying additional waves of custodial productions. Additionally, counsel are working to draft an order for provisional replacements in the Record Collection Pool. The Court will memorialize these agreements in forthcoming orders.

2.c. Plaintiff Fact Sheet / Defendant Fact Sheet

After hearing from counsel, the Court requested the submission of draft fact sheets or competing submissions by September 29, 2025 at 4:30 pm for discussions on the proposed fact sheets to occur at the October status conference, scheduled for October 7, 2025.

NEXT STATUS CONFERENCE

The Court sets a status conference for September 9, 2025 at 9:00 am in person. Those who wish to listen by phone shall notify the Court's MDL Clerk, Andrew Rivera (Andrew_Rivera@ohnd.uscourts.gov) by September 5, 2025.

Counsel shall confer on the agenda in advance and submit the agenda no later than 12:00 p.m. on September 5, 2025.

SO ORDERED.

Dated: July 15, 2025

A handwritten signature in black ink, appearing to read 'J. Calabrese', with a long horizontal flourish extending to the right.

J. Philip Calabrese
United States District Judge
Northern District of Ohio