

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

IN RE SUBOXONE	)	Case No. 1:24-md-03092
(BUPRENORPHINE/NALOXONE)	)	
FILM PRODUCTS LIABILITY	)	MDL No. 3092
LITIGATION	)	
	)	Judge J. Philip Calabrese
This Document Applies to All Cases	)	
	)	

MINUTES AND ORDER

On July 1, 2026, the Court held a status conference on the record in person.

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

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

The following attendees were present as well: Tammy Yonker, Elizabeth Carroll, Roy BenDavid, Alyssa Reinhardt, Kenia Fuentes, Glenn Kohles Jr., Asim Badaruzzaman, Jessica Wieczorkiewicz, Robin Matney, Bradley East, Deborah Schmitt, Stan Gipe, Kathryn Avila, Ashley Windsor, Shannon McFarland, George Senteno, Clint James Casperson, Michelle Rodriguez, Laura Smith, Sara J. Watkins, Madeline Wise, Davis Cooper, Joyce Chambers Reichard, Matt Dolman, Kristine Kraft, Stephanie Bovee, Paola Mendoza, Whitney Mennes, Michele Rossi, Dawn Campbell, Edwin Guyandi, James Seigel, Gerardo Guerra, Joyce Reichard, Linsey Berg, Wesley Elmer, Wesley Guillory, Pamela Corneaux, Denise Perkins, Alex

Slepica, Tatum Tipton, Ashlyn Diorio, Layne Hilton, Kenneth Cross, Anthony Russo, Andres Marquez, Jessi Munchak, Cobi Washington, Mark Chavez, Mary Edwards, Linda Wooten, Lisa Gorshe, Maham Khalid, Jessi Muchnick, Becky Dolman, Hope Williams, Audrey Estep, Rachel Archambeau, Nicole Vandewalker, Geoff Teza, Robert Jenkins, Jon Drago, Humaira Safdar, James Wiggin, Meredith Felde, Laura Smith Hatch, Kyle James, Sladjana Gavrilovic, Holly Nighbert, Javon Thompson, Bonnie Rickert, Loren Ngo Kimbell, Sadia Malik, Matthew Sicheri, Jasmin Lopez, Heaven Jaafar, Matthew Fazekas, Jill Schroepfer, Kaleigh Cook, Pamela Comeaux, Alyson Beridon, Lisa Anderson, William Kershaw, Lisa Cour, Kelsey Westermeyer, Alexandra Robertson, David Chasen, Victor Alves, Reza Keshavarz, and Matthew Haynes.

On the record, the Court and counsel addressed the items on the agenda (ECF No. 771) with particular attention to the following:

1. Plaintiff-Centered Discovery

1.a. Report on Schedule A and Census Round 2

The Court and counsel discussed the PLC's status report regarding Schedule A and Census Round 2. (ECF No. 769.)

1.b. Orders to Show Cause

i. Order to Show Cause regarding Plaintiff Facts Sheets

The Court and counsel discussed the Order to Show Cause regarding eighteen Plaintiffs who failed to produce a Plaintiff Fact Sheet. (ECF No. 752.) Two Plaintiffs responded to the Order: Plaintiff Jasmine Roghani (ECF 763); and Plaintiff Nicholas Schneider (Case No. 24-sf-65161, ECF No. 4). Defendants do not object to a finding

of good cause and removing these two Plaintiffs' claims from the Core Discovery Pool. By separate Order, the Court will address the Order to Show Cause.

ii. Order to Show Cause regarding Census Round 1

The Court and counsel discussed the Order to Show Cause regarding three Plaintiffs who failed to provide a census. (ECF No. 759.) Only Plaintiff James Clayton responded to the Order and requested that his claims be dismissed without prejudice. (ECF No. 764.) Defendants and the PLC have no position on the issue. By separate Order, the Court will address this Order to Show Cause.

By separate Order, as to the two Plaintiffs who failed to respond, the Court will dismiss their claims with prejudice, and as to Plaintiff James Clayton, the Court will dismiss his claims with/without prejudice.

iii. Motion to Show Cause regarding Census Round 1

The parties continue to meet and confer regarding this potential motion.

iv. Motion to Show Cause regarding Census Round 2 Non-Responders

Defendants filed this Motion to Show Cause (ECF No. 768), but requested that the Court defer ruling until Defendants file a corrected exhibit.

1.c. Selection of Core Discovery Pool

The PLC and Defendants presented demographic information about the 20 randomly selected draws and the 15 picks by Defendants. The PLC argued for proceeding to discovery on the 20 randomly selected draws instead of the 50 cases as provided in Second Amended Case Management Order No. 15. Defendants opposed that request. Counsel argued their respective positions. Based on the number of

Plaintiffs who completed the Record Collection Pool, the Court expressed the view that 35 cases would be an appropriate number for case specific workup to allow the parties to identify representative cases for trial and to learn more about certain types of cases in the MDL. Counsel agreed to meet and confer, and the Court extended the deadline to July 6, 2026 for the parties to submit their case selections.

2. Requests and Motions to Withdraw as Counsel

The Court has received several requests and motions to withdraw as counsel. The requests to withdraw as counsel as to Plaintiff Jami Mercer and Plaintiff Jeremiah Marsh are withdrawn. By separate Order, the Court will address the other requests and motions to withdraw as counsel.

3. Motions to Substitute Party Plaintiffs

The PLC and Defendants confirmed that they are not running into any greater record collection issues based on these submissions. Accordingly, counsel agreed with the Court's proposal to rule on any motions to substitute where Ohio is the original venue but to put on an Order flagging all other motions to substitute for the transferor courts to address on remand, when or if that happens. By separate Orders, in the individually filed cases where motions to substitute have been or are filed, the Court will administratively close the motion and flag the motion on the docket for the transferor courts to deal with on remand.

Defendants indicated that three deceased Plaintiffs failed timely to file motions for substitution: Angela Hill (Schedule A); Amber Paulson (Schedule A); and Nemer Mohammad (Case No. 24-sf-65340). Defendants indicated that, earlier this

week, they notified case counsel that they would seek dismissal of these claims at the status conference.

The Court **ORDERS** Plaintiffs Angela Hill, Amber Paulson, and Nemer Mohammad to respond by August 15, 2026. Such responses are limited to 500 words and should be filed on the MDL docket for Schedule A Plaintiffs and on the case docket for Individually Filed Plaintiffs. No replies are permitted. At the next status conference, counsel should be prepared to discuss any responses that are timely submitted. For those Plaintiffs as to whom no response is timely submitted, the Court will dismiss their claims with prejudice.

4. Defendant-Centered Discovery

4.a. The PLC's Motion to Compel Certain Discovery Responses

Counsel argued their respective positions regarding Interrogatories No. 1 and No. 23. For the reasons stated on the record, the Court found that Defendants discharged their obligations under Rule 33 with respect to Interrogatory No. 1 but noted that the PLC has other discovery tools to obtain that information if they decide to pursue them. With respect to Interrogatory No. 23, the Court declined to compel production of this financial information.

4.b. Confirmation of Complete IND/NDA for Subutex Tablets

Defendants indicated that the complete IND/NDA for Subutex tables have been produced to the PLC. And there was much rejoicing.

4.c. Certification of Substantial Completion for Wave 4 Custodian John Pitts

Defendants indicated that they sent a letter to the PLC on June 30, 2026 certifying that the production for Wave 4 custodian John Pitts is complete.

5. Third-Party Discovery

On July 1, 2026, the Court held hearings on the record on the Court's Order to Show Cause (ECF No. 758) and Order to Compel under penalty of contempt (ECF No. 747).

At the show-cause hearing, no one appeared on behalf of any of the Entities subject to the Court's Order to Show Cause. (ECF No. 758.) Counsel confirmed the list of non-compliant Entities. The Court will enter a separate Order to Compel regarding non-compliant Entities who were subject to the Order to Show Cause and failed to appear. Further, the Court schedules a contempt hearing for August 18, 2026 at 10:00 a.m. in Courtroom 16B.

At the contempt hearing, no one appeared on behalf of any of the Entities who were subject to the Court's Order to Compel under penalty of contempt. (ECF No. 747.) Counsel confirmed the list of non-compliant Entities. The Court sets a deadline of July 13, 2026 for any motions for contempt.

6. Future Conferences

The Court scheduled the following status conferences:

- a. August 18, 2026 (Cleveland);
- b. September 21, 2026 (virtual);
- c. October 27, 2026 (Cleveland); and

d. December 1, 2026 (Cincinnati (subject to confirmation of logistics)).

NEXT STATUS CONFERENCE

The Court sets the next status conference for August 18, 2026 at 9:30 a.m. in Courtroom 16B. Counsel shall confer on the agenda in advance and submit the agenda no later than 12:00 p.m. on August 14, 2026.

SO ORDERED.

Dated: July 6, 2026

A handwritten signature in black ink, appearing to read 'J. Calabrese', is written over a horizontal line.

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