

HON. THOMAS S. ZILLY

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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CITY OF SEATTLE,

Plaintiff,

v.

PURDUE PHARMA L.P.; PURDUE  
PHARMA, INC.; THE PURDUE  
FREDERICK COMPANY, INC.; TEVA  
PHARMACEUTICAL INDUSTRIES, LTD.;  
TEVA PHARMACEUTICALS USA, INC.;  
CEPHALON, INC.; JOHNSON & JOHNSON;  
JANSSEN PHARMACEUTICALS, INC.;  
ORTHO-MCNEIL-JANSSEN  
PHARMACEUTICALS, INC. n/k/a JANSSEN  
PHARMACEUTICALS, INC.; JANSSEN  
PHARMACEUTICA INC. n/k/a JANSSEN  
PHARMACEUTICALS, INC.; ENDO  
HEALTH SOLUTIONS INC.; ENDO  
PHARMACEUTICALS, INC.; ALLERGAN  
PLC f/k/a ACTAVIS PLC; WATSON  
PHARMACEUTICALS, INC. n/k/a  
ACTAVIS, INC.; WATSON  
LABORATORIES, INC.; ACTAVIS LLC;  
ACTAVIS PHARMA, INC. f/k/a WATSON  
PHARMA, INC.; SEATTLE PAIN CENTER  
MEDICAL CORPORATION d/b/a SEATTLE  
PAIN CENTER; FRANK D. LI; AND DOES 1  
THROUGH 100, INCLUSIVE,

Defendants.

Case No. 2:17-cv-1577 (TSZ)

**NOTICE OF DEVELOPMENTS IN  
IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**



1 On December 5, 2017, the Judicial Panel on Multidistrict Litigation (“JPML”) transferred  
2 62 opioid-related actions to the United States District Court for the Northern District of Ohio.  
3 *See In Re: National Prescription Opiate Litigation*, MDL No. 2804, Dkt. No. 328. As a potential  
4 tag-along action, this case was not subject to the initial transfer order. *See id.* at Schedule A.

5 On December 6, 2017, the JPML issued a conditional transfer order (“CTO”), attached  
6 hereto as Exhibit A, covering potential tag-along cases, including this one. *See* Exhibit A at  
7 Schedule CTO-1. Pursuant to JPML Rule 7.1(b), the CTO automatically is stayed for a period of  
8 seven days. *See* Exhibit A (“The transmittal of this order to said Clerk shall be stayed 7 days  
9 from the entry thereof.”). In the event “any party files a notice of opposition with the Clerk of  
10 the Panel within this 7-day period, the stay will be continued until further order of the Panel.”

11 *Id.*

12 Plaintiff the City of Seattle (“Seattle”) intends to oppose the CTO within the 7-day period  
13 for doing so, at which point the JPML Clerk “shall notify the parties of the briefing schedule” on  
14 Seattle’s opposition. *See* JPML Rule 7.1(c). Unless and until the JPML rejects Seattle’s  
15 opposition to the CTO, and the CTO is filed in the Northern District of Ohio, this Court retains  
16 plenary authority to rule on Seattle’s pending motion to remand. *See* JPML Rule 2.1(d) (“The  
17 pendency of a . . . conditional transfer order . . . does not affect or suspend orders and pretrial  
18 proceedings in any pending federal district court action and does not limit the pretrial jurisdiction  
19 of that court.”); *see also* JPML Rule 7.1(g) (requiring parties to notify JPML if action subject to  
20 a CTO is remanded and “no longer pending in its transferor district court”).

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DATED this 6th day of December, 2017

Respectfully submitted,

HAGENS BERMAN SOBOL SHAPIRO LLP

By: /s/ Steve W. Berman

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 6, 2017, I caused the foregoing to be served by U.S.

Mail on the following parties:

Seattle Pain Center Medical Corporation  
c/o Frank Li  
1519 E. Denny Way, Unit 3  
Seattle, WA 98122

Frank D. Li  
1519 E. Denny Way, Unit 3  
Seattle, WA 98122

I further certify that on December 6, 2017, I caused the foregoing to be electronically filed with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent by email to all parties noted below by operation of the Court's electronic filing system:

- Thomas Dean Adams  
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/s/ Steve W. Berman  
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