

IN THE CIRCUIT COURT FOR THE COUNTY OF ST. LOUIS
STATE OF MISSOURI

FILED

JAN 24 2025

OPIOID MASTER DISBURSEMENT TRUST II, A/K/A
OPIOID MDT II,

Plaintiff,

v.

ACE AMERICAN INSURANCE COMPANY, ET AL.,
Defendants.

JOAN M. GILMER
CIRCUIT CLERK, ST. LOUIS COUNTY

Case No. 22SL-CC02974
Division 2

OPIOID MASTER DISBURSEMENT TRUST II, A/K/A
OPIOID MDT II,

Plaintiff,

v.

AMERICAN GUARANTEE & LIABILITY
INSURANCE COMPANY, ET AL.,
Defendants.

Case No. 23SL-CC05428
Division 2

**ORDER REGARDING LIMITED STAY OF DISCOVERY AND IMPACT ON
SCHEDULE PENDING RESOLUTION OF PCOH MOTIONS**

In advance of the Case Management Conference and Oral Argument on the parties' respective motions for partial summary judgment concerning the Products Completed Operations Hazard Exclusion and the PCOH Claims-Made Endorsement in certain of the insurance policies at issue in this matter (the "PCOH Motions"), scheduled for **January 31, 2025**, the parties submitted a joint letter dated January 17, 2025 requesting a modification to the existing case management order pending the Court's review and resolution of the PCOH Motions. To date, the parties have exchanged extensive documentary and written discovery, and have met and conferred multiple times about disputes arising from such discovery. The parties state that they are in

agreement that the resolution of the referenced PCOH Motions has the potential to narrow the issues in this case and could potentially save the parties unnecessary burden and expense. The parties jointly request an Order permitting them to address existing discovery (including the right to initiate motion practice relating to discovery disputes) during the pendency of the PCOH Motions, and to defer fact depositions and other case deadlines until after the resolution of the PCOH Motions, as further detailed below.

Consistent with the terms of the parties' joint January 17, 2025 letter, it is hereby Ordered that:

1. All party fact depositions (including debtor depositions), save for record custodian depositions, shall be deferred until after (1) the parties' productions based on existing document requests are substantially complete, and (2) the determination of the PCOH Motions by the Court.
2. Fact discovery will continue for at least ten months after the determination of the PCOH Motions. Within **14 days** of any decision on the PCOH Motions, counsel for the parties shall meet and confer to decide on the details of the remaining case schedule. The parties shall report to the Court with respect to either a jointly proposed amended Case Management Order or with each side's respective proposal within **30 days** of any decision on the PCOH Motions.
3. The new schedule will adjust expert discovery and other case deadlines consistent with the extension of the fact discovery cut-off.
4. The parties may continue to address existing document discovery, including exchanging correspondence and conducting meet and confers, and may bring any discovery disputes arising out of the parties' pending discovery to the Court while the balance of discovery is deferred.

5. The parties may propound discovery requests on third parties and otherwise pursue discovery from third parties (except for fact depositions, per Paragraph 1 above) during the pendency of the PCOH Motions.
6. The Court shall schedule the next Case Management Conference after receipt of the report or reports referenced in Paragraph 2 above.

SO ORDERED:


Judge Division 2