

**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	)	
	)	

**ORDER TO SHOW CAUSE AS TO  
PLAINTIFFS WHO FAILED TO SUBMIT CENSUS FORM**

On November 4, 2024, the Court issued Case Management Order No. 12 (Census Protocol, ECF No. 158), providing a protocol for plaintiffs with cases filed on or before October 7, 2024 to submit census forms, authorizations, and provide proof of use and proof of injury.

The Court is advised that the Plaintiffs listed in Exhibit 1 are subject to that Case Management Order No. 12 and failed to complete the census. Note that this Order to Show Cause does *not* apply to Plaintiffs selected for the Record Collection Pool who are not in compliance with Case Management Order No. 12 and/or Case Management Order No. 15. Their non-compliance is the subject of a separate Order.

As to the Plaintiffs listed in Exhibit 1, the Court finds good cause to issue the following order:

The Court **ORDERS** that, on or before September 24, 2025, each Plaintiff listed in Exhibit 1 must show cause why he or she did not comply with Case Management Order No. 12. To show cause, a Plaintiff must (1) submit the completed census using Crosslink and (2) file a memorandum demonstrating good cause why

the census was not timely submitted. Such submissions shall be filed on the individual case docket (for individually filed cases) or on the MDL docket (for Schedule A Plaintiffs), shall be titled “Census Plaintiff [Plaintiff First and Last Name] Response to Show Cause Order,” and limited to 500 words.

If a Plaintiff subject to this Show Cause Order disputes that he or she is not in compliance (*i.e.*, has timely provided the census submission), such Plaintiff or counsel for Plaintiff shall promptly communicate with Defendants’ counsel regarding compliance status. Defendants’ counsel shall communicate with the PLC to address any such issues cooperatively.

Further, the Court **ORDERS** that Defendants respond to any submission filed pursuant to this Order within 7 days of that submission. Such responses are limited to 500 words. No replies are permitted. Based on the parties’ submissions, the Court will either (1) dismiss the Plaintiff’s claims with or without prejudice in accordance with Case Management Order No. 12<sup>1</sup> or (2) allow the Plaintiff’s claims to continue.

For those Plaintiffs listed in Exhibit 1 as to whom no response is submitted on or before September 25, 2025, the Court will dismiss their claims *with prejudice*. The Court directs the parties to submit a list of any Plaintiffs listed in Exhibit 1 who have not submitted a response on or before this deadline.

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<sup>1</sup> As provided for in CMO No. 12, “Plaintiffs who cannot substantiate injury or product identification within the applicable deadline will be dismissed with prejudice. Plaintiffs who do not timely complete and serve the Census Form, authorizations, or proof of product use and injury due to transience or similar reasons will be dismissed without prejudice.” (ECF 158, PageID #4042.)

**SO ORDERED.**

Dated: September 9, 2025

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

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