

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA**

MARSHALL COUNTY BOARD OF
EDUCATION and WETZEL COUNTY
BOARD OF EDUCATION, individually and
on behalf of a similarly situated class,

Plaintiffs,

v.

David Sackler, Ilene Sackler, Kathe Sackler,
Mortimer D.A. Sackler, Richard Sackler, the
estate of Beverly Sackler by and through its
executors David Sackler and Richard Sackler,
the estate of Jonathan Sackler by and through
its executor Garrett Lynam, and the estate of
Raymond Sackler by and through its executor
Richard Sackler,

Defendants.

Civil Action No.: 5:25-cv-00228-JPB

Honorable John Preston Bailey

**PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT**

Under Rule 23 of the Federal Rules of Civil Procedure, Plaintiffs Marshall County Board of Education and Wetzel County Board of Education respectfully move the Court for an Order:

(i) finding that their proposed \$26,776,216.55 Settlement with Defendants is within the range of final approval as fair, reasonable, and adequate, and granting preliminary approval of that proposed Settlement under Rule 23(e); (ii) appointing as Class Counsel Benjamin L. Bailey, John W. Barrett, and Michael L. Murphy of Bailey & Glasser LLP; Cyrus Mehri of Mehri & Skalet, PLLC; Wayne Hogan of Terrell Hogan Yegelwel, P.A.; and Neil Henrichsen and Austin Griffin of Henrichsen Law Group, PLLC; (iii) approving their forms of class notice, as well as the proposed methods of disseminating notice to the Public School Class; (iv) authorizing and directing Plaintiffs to retain EisnerAmper LLP as the Claims Administrator and Dr. Andrés Alonso and Truist Bank as trustees of the Public School District Opioid Recovery Trust; (v) scheduling a date for the final fairness hearing and relevant deadlines in connection with the Settlement; and (vi) awarding all other relief as the Court considers just and appropriate.

This Motion is supported by the Plaintiffs' memorandum in support. A proposed order granting this motion is attached as Exhibit F to the proposed Settlement Agreement.

Dated: October 7, 2025

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Respectfully submitted,

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