

CHIPPEWA COUNTY BOARD OF COMMISSIONERS

RESOLUTION AUTHORIZING ENTRY OF STATE LOCAL GOVERNMENT INTRASTATE AGREEMENT CONCERNING ALLOCATION OF SETTLEMENT PROCEEDS IN THE NATIONAL OPIOIDS LITIGATION

RESOLUTION #2021-29

At a regular meeting of the Chippewa County Board of Commissioners, Chippewa County, Sault Ste. Marie, Michigan, held at the Chippewa County Building, 325 Court Street, Sault Ste. Marie, MI 49783 on December 16, 2021 at 4:30 p.m.

PRESENT: Jim Martin, Bob Savoie, Scott Shackleton and Erik Baron

ABSENT: Ted Postula

The following resolution was offered by Commissioner Savoie, supported by Commissioner Baron;

WHEREAS, the CHIPPEWA COUNTY BOARD OF COMMISSIONERS filed a lawsuit in the United States District Court to address the public nuisance that is the Opioid Epidemic, which named, among other companies, the following four Defendants (“Settling Defendants”):

1. Janssen Pharmaceuticals, Inc. (a prescription opioids manufacturer);
2. Amerisource Bergen Corp. (a prescription opioids wholesaler distributor);
3. Cardinal Health, Inc. (a prescription opioids wholesaler distributor); and
4. McKesson Corporation (a prescription opioids wholesaler distributor)

AND WHEREAS the lawsuit was subsequently transferred to the United States District Court in the Northern District of Ohio and centralized as part of *In re National Prescription Opiate Litigation*, MDL 2804; Case No. 1:17-md-2804, which is presided over by the Honorable Dan Aaron Polster, United State Federal District Court Judge;

AND WHEREAS the Settling Defendants have negotiated proposed national settlement agreements (“Proposed Settlements”) with the State Attorneys General, and a Plaintiff Executive Committee-designated negotiating committee that represents approximately 4,000 local governments that have brought lawsuits similar to CHIPPEWA COUNTY BOARD OF COMMISSIONERS’s lawsuit;

AND WHEREAS the Proposed Settlements contain a “default” allocation method where settlement funds that are allocated to a particular state to resolve the claims asserted by state and local governments within that state are allocated as follows:

- 15% of settlement proceeds paid under the Proposed Settlements are allocable to the State;
- 15% of the settlement proceeds are allocable to local governments; and
- 70% of the settlement proceeds are allocable to an opioid abatement fund;

AND WHEREAS the Proposed Settlements enable the state and local governments within a State to negotiate alternative allocation methods to the “default” allocation method referenced above;

AND WHEREAS CHIPPEWA COUNTY BOARD OF COMMISSIONERS desires to enter into an alternative allocation method which allocates settlement funds solely to:

1. Participating Local Governments who have elected to participate in the Proposed Settlements; and
2. the State of Michigan.

NOW THEREFORE, CHIPPEWA COUNTY BOARD OF COMMISSIONERS authorizes the execution of a Michigan State-Subdivision Agreement for Allocation of Distributor Settlement Agreement and Janssen Settlement Agreement substantially similar to the proposed agreement attached to this resolution. CHIPPEWA COUNTY BOARD OF COMMISSIONERS also authorizes execution of a similar state-subdivision agreement to the extent that it provides a substantially similar allocation of settlement or bankruptcy proceeds obtained from opioids litigation with any other entity.

Adopted this 16th day of December 2021

A VOTE WAS TAKEN AS FOLLOWS

AYES: Jim Martin, Bob Savoie, Scott Shackleton and Erik Baron

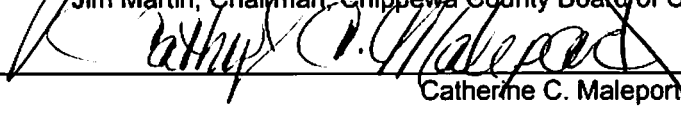
NAYS: None

ABSENT: Ted Postula

RESOLUTION DECLARED ADOPTED



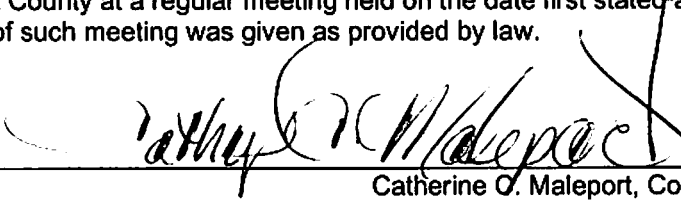
Jim Martin, Chairman, Chippewa County Board of Commissioners



Catherine C. Maleport, County Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF CHIPPEWA)

I hereby certify that the foregoing is a true and complete copy of the resolution adopted by the County Board of Commissioners of Chippewa County at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.



Catherine C. Maleport, County Clerk