

CHIPPEWA COUNTY BOARD OF COMMISSIONERS

RESOLUTION AUTHORIZING ENTRY OF PARTICIPATION AGREEMENTS IN PARTIAL SETTLEMENT OF THE NATIONAL PRESCRIPTION OPIATE LITIGATION

RESOLUTION #2021-30

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 Shackleton, 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 significant equitable and monetary relief, including:

1. An agreement by Janssen that it will discontinue the manufacture and distribution of prescription opioids products for at least the next ten years;
2. An agreement by Janssen that it will suspend any lobbying efforts that concern prescription opioids products;
3. The creation of a National Clearinghouse for wholesale distributors that will assist in the detection, suspension and reporting of suspicious orders of prescription opioids products; and
4. The payment of up to \$26 billion (depending upon the level of participation of state and local governments in the Proposed Settlements) in funding installments over the next 18 years, the bulk of which will be dedicated to funding abatement and prevention strategies associated with the opioids public nuisance.

NOW THEREFORE, CHIPPEWA COUNTY BOARD OF COMMISSIONERS authorizes the execution of Participation Agreements for: 1. the Master Settlement Agreement with Janssen Pharmaceuticals, Inc.; and 2. the Master Settlement Agreement with the three wholesale distributor defendants (Cardinal, Amerisource Bergen and McKesson), both of which are listed and available to the public at <https://nationalopioidsettlement.com/>. Specimen copies of the material terms of the participation agreements are attached as an exhibit to this resolution.

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

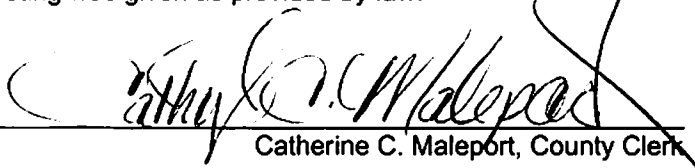


Catherine C. Maleport, County Clerk

STATE OF MICHIGAN)

COUNTY OF CHIPPEWA) ss.

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