

## **CHARTER TOWNSHIP OF WATERFORD**

### **RESOLUTION APPROVING OPTING-IN TO THE NATIONAL OPIOID LITIGATION SETTLEMENT WITH WALGREENS**

#### **RECITALS:**

A. After several years of negotiation, nationwide settlements relating to the distribution and sale of opioids, were reached against three national pharmacies, CVS, Walmart, Walgreens and against two pharmaceutical companies, Teva Pharmaceutical Industries and AbbVie/Allergan. The state of Michigan previously agreed to the terms of the settlements with CVS and Walmart, Teva and Allergan. The state recently agreed to a settlement with Walgreens, which allows subdivisions within Michigan to opt into the Walgreens settlement. These settlements are in addition to the settlements previously approved in 2021 with distributors, McKesson, Cardinal Health and AmerisourceBergen and one manufacturer, Janssen Pharmaceuticals, Inc., and its parent company Johnson & Johnson. The settlements require the companies to pay up to \$16.5 billion dollars over 13 years. The settlement payments are primarily earmarked for participating states and state subdivisions to remediate and abate the impacts of the opioid crisis and also include the payment of attorney fees for subdivisions that hired counsel to sue these companies on their behalf. ("Litigating Subdivisions")

B. The settlements place numerous requirements on the companies to implement safeguards to prevent the over distribution and sale of opioids. The Michigan Attorney General's Office previously agreed to participate in these settlements, except for the settlement with Walgreens. Now Michigan has agreed to participate in the settlement with Walgreens and has negotiated a settlement agreement with the Litigating Subdivisions.

C. Waterford Township has received notice that it is eligible to participate in the Walgreens settlement. The Michigan Attorney General's Office has estimated that Waterford will receive approximately \$91,590.99 over 15 years from the Walgreens settlement. This is in addition to the total estimated amount from the Allergan, Teva, CVS and Walmart settlements of \$232,563.92. The actual amounts received may vary.

D. Any funds received from the settlements must be spent on opioid remediation, which is defined in the settlement agreements.

D. The settlements require the participating subdivisions to agree to the settlement terms. The Walgreens settlement, like the other settlements, requires: i) an agreement to the terms of the settlement; ii) a release of claims; iii) an agreement that monies received can only be spent on opioid remediation and; iv) a consent to the jurisdiction of the Court where the Settlement Judgment is filed.

#### **IT IS THEREFORE RESOLVED:**

The Township of Waterford elects to participate in the Walgreens national settlement.

The Township of Waterford agrees to the terms of the Walgreens settlement, a Release of Claims against Walgreens, the funds received from the settlements to be spent on opioid remediation,

as defined in the settlements, and consents to the jurisdiction of the Court where the Settlement Judgment is filed.

The Township of Waterford authorizes the Township Supervisor to utilize the National Opioid Settlement Portal to opt-in to the Walgreens settlement, consent to the terms of the settlement and take such further action as is necessary to receive the settlement funds.

The election, agreement, and authorization in this Resolution are subject to completion of all other necessary actions by the Court and the other parties required to finalize the settlements as described herein.

**CERTIFICATION**

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting on August 14, 2023.

Charter Township of Waterford

\_\_\_\_\_   
Date

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Kimberly Markee, Township Clerk