

Resolution

City of Ballwin, Missouri

INTRODUCED BY

ALDERMEN UTT, FINLEY, STALLMANN, ROACH, FLEMING, LEAHY, KERLAGON, BULLINGTON

A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF NATIONAL OPIOID SETTLEMENT AGREEMENTS

A. General Principles

1. WHEREAS, the residents of the City of Ballwin, Missouri ("Ballwin") have been harmed by a national and state-wide opioid epidemic caused by fraudulent marketing and licit and illicit opioid use and distribution; and
2. WHEREAS, Ballwin and the State of Missouri ("the State") share a common desire to abate and alleviate the local impacts of the opioid epidemic in Ballwin and throughout Missouri; and
3. WHEREAS, Missouri and other states have entered into national settlement agreements with certain pharmaceutical supply chain entities currently facing litigation and investigation relating to the opioid epidemic; and
4. WHEREAS, Ballwin wishes to participate in the national settlement agreements;
5. NOW, THEREFORE, the Ballwin Board of Aldermen hereby approves and authorizes execution of the National Settlement Agreements, subject to the following terms and conditions:

B. Definitions

6. "J&J National Settlement" means a national settlement agreement with Johnson & Johnson and its related corporate entities concerning alleged misconduct in the manufacture, marketing, promotion, distribution, and dispensing of opioids.
7. "Distributor National Settlement" means a national settlement agreement with pharmaceutical distributors AmerisourceBergen, Cardinal Health, McKesson, and their related corporate entities concerning alleged misconduct in the marketing, promotion, distribution, and dispensing of opioids.

8. "National Settlements" refers collectively to the J&J National Settlement and the Distributor National Settlement.
9. "Settlement Funds" refers collectively to funds from the J&J National Settlement and the Distributor National Settlement.
10. "Settling Defendants" refers to the pharmaceutical supply chain entities who are parties to the J&J National Settlement and/or the Distributor National Settlement.

C. Execution of National Settlement Agreements

11. Upon passage of this resolution by the Ballwin Board of Aldermen, Ballwin shall be authorized to execute the necessary documentation to join the J&J National Settlement and the Distributor National Settlement on behalf of Ballwin. Ballwin shall further be authorized to execute the documents necessary to join the National Settlements electronically by using Docusign.
12. Ballwin acknowledges that the National Settlements require it to release its claims against the Settling Defendants as a condition of its participation and entitlement to Settlement Funds.
13. Ballwin is further authorized to cooperate with the State to fulfill all requirements necessary to qualify Ballwin for participation in the National Settlements and entitlement to Settlement Funds.

D. Applicability

14. This Resolution does not automatically apply to future national settlements with opioid manufacturer, distributor, or other opioid-related Defendants not named herein.
15. Ballwin acknowledges that this Resolution does not excuse any requirements placed upon it by the terms of the National Settlement Agreements.

THEREFORE, BE IT RESOLVED by the Board of Aldermen that the City of Ballwin is authorized to enter into a National Opioid Settlement Agreement.

PASSED this ____ day of _____, 2021.

TIM POGUE, MAYOR

ATTEST: _____
CITY CLERK

