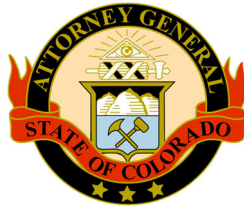


Subject: FW: 2023 Opioid Settlement Participation Forms - ACTION NEEDED BY 4/7



Recent Opioid Settlements – Action Deadline April 7, 2023

Dear Mike Bennett:

On behalf of Attorney General Phil Weiser, I am pleased to inform you that Colorado has reached settlement agreements with five additional opioid companies. Thanks to the collaboration of Colorado's counties and municipalities, our state maximized its settlement proceeds from previous opioid litigation and I am now asking that you review and sign-on to these recent settlements no later than **April 7, 2023** so that Colorado and FRUITA can maximize its share of these funds.

Colorado has reached settlements with Teva Pharmaceutical Industries Ltd. and Allergan Finance, LLC/Allergan Limited, as well as with Walmart Inc., CVS Health Corporation/CVS Pharmacy, Inc., and Walgreen Co. These settlements are summarized and settlement documents are linked below.

If FRUITA decides to join these settlements, please sign and submit the [Participation Forms](#) for each settlement with this [Google form](#) or send to Opioids@coag.gov no later than **April 7, 2023.**

In order for Colorado to maximize its share of the settlement proceeds, these opioid settlements (like prior opioid settlements) require that Colorado's Local Governments participate in the settlements by releasing their opioid-related legal claims against the settling Defendants. Further information and instructions for FRUITA to participate in the recent opioid settlements is below. FRUITA cannot receive funds from any opioid settlement it does not join.

Importantly, the terms of the Colorado Opioid Memorandum of Understanding ("Colorado MOU"), which governs the distribution of opioid settlement funds in Colorado, will also apply to the recent opioid settlements. FRUITA has already signed the Colorado MOU and does not need to re-sign it to participate in the recent opioid settlements. For your reference, the Colorado MOU can be found here: [Colorado MOU](#).

Summary of Recent Opioid Settlements

Teva & Allergan Settlements

Teva and Allergan are affiliated pharmaceutical opioid manufacturers. Colorado has reached settlements with each company (see [Teva](#) and [Allergan](#)), and FRUITA is required to join both settlements, or neither of them. Specifically, FRUITA does not have the option to join the Teva settlement and not join the Allergan settlement, or vice versa.

Under the terms of the Teva settlement, Colorado and its Local Governments stand to receive an estimated \$59 million if enough Local Governments join. Teva will pay this amount over 13 years. [Click here](#) to view the estimated amount that your Region(s) will receive from the settlement with Teva if FRUITA joins.

In addition to the monetary award from the Teva settlement, Colorado may elect to receive a distribution of generic naloxone nasal spray ("Settlement Product") manufactured and distributed at Teva's expense, which is valued at \$24.2 million over 10 years. If Colorado does not elect to receive Settlement Product, Colorado will receive an additional cash payment estimated to be \$4.8 million paid over 10 years. Colorado may also elect to receive a partial distribution of Settlement Product and a partial additional cash payment. Under the terms of the Teva settlement, only the State can make the election to receive Settlement Product and/or an additional cash payment, and the State will do so every two years beginning in 2023. The Attorney General commits to consulting with the Colorado Opioid Abatement Council ("COAC"), and any other relevant state and local experts, to determine whether the State should

accept Settlement Product and/or an additional cash payment, and in the event Colorado elects to receive any Settlement Product, to ensure the distribution of the Settlement Product is fair and equitable. In the event the State elects to receive an additional cash payment, those funds will be distributed in accordance with the Colorado MOU.

Under the terms of the Allergan settlement, Colorado and its Local Governments stand to receive an estimated \$35 million if enough Local Governments join. Allergan will pay this amount over 7 years. [Click here](#) to view the estimated amount that your Region(s) will receive from the settlement with Allergan if FRUITA joins.

Under the terms of the settlements with Teva and Allergan, and under the terms of the Colorado MOU, all opioid settlement funds must be used for Approved Purposes (see Ex. A to the Colorado MOU) to abate the opioid crisis in Colorado.

If FRUITA elects to participate in the settlements with Teva and Allergan, it must complete and sign the [Participation Forms](#). **(Attachments A and B)**, and return them no later than **April 7, 2023**, with this [Google form](#) or send to Opioids@coag.gov.

Walmart Settlement

Walmart is a chain pharmacy that dispenses prescription opioids.

Under the terms of the Walmart settlement, Colorado and its Local Governments stand to receive an estimated \$44 million if enough Local Governments join. Walmart will pay this amount over 6 years. Click [here](#) to view the estimated amount that your Region(s) will receive from the settlement with Walmart if FRUITA joins.

Under the terms of the settlement with Walmart, and under the terms of the Colorado MOU, all opioid settlement funds must be used for Approved Purposes (see Ex. A to the Colorado MOU) to abate the opioid crisis in Colorado.

The settlement documents with Walmart can be found here: [Walmart Settlement](#). If FRUITA elects to participate in this settlement with Walmart, it must complete and sign the [Participation Forms](#). **(Attachment C)**, and return no later than **April 7, 2023**, with this [Google Form](#) or send to Opioids@coag.gov.

CVS Settlement

CVS is a chain pharmacy that dispenses prescription opioids.

Under the terms of the CVS settlement, Colorado and its Local Governments stand to receive an estimated \$78 million if enough Local Governments join. CVS will pay this amount over 10 years. Click [here](#) to view the estimated amount that your Region(s) will receive from the settlement with CVS if FRUITA joins.

Under the terms of the settlement with CVS, and under the terms of the Colorado MOU, all opioid settlement funds must be used for Approved Purposes (see Ex. A to the Colorado MOU) to abate the opioid crisis in Colorado.

The settlement documents with CVS can be found here: [CVS Settlement](#). If FRUITA elects to participate in this settlement with CVS, it must complete and sign the [Participation Form](#). **(Attachment D)**, and return no later than **April 7, 2023**, with this [Google Form](#) or send to Opioids@coag.gov.

Walgreens Settlement

Walgreens is a chain pharmacy that dispenses prescription opioids.

Under the terms of the Walgreens settlement, Colorado and its Local Governments stand to receive an estimated \$85 million if enough Local Governments join. Walgreens will pay this amount over 15 years. Click [here](#) to view the estimated amount that your Region(s) will receive from the settlement with Walgreens if FRUITA joins.

Under the terms of the settlement with Walgreens, and under the terms of the Colorado MOU, all opioid settlement funds must be used for Approved Purposes (see Ex. A to the Colorado MOU) to abate the opioid crisis in Colorado.

The settlement documents with Walgreens can be found here: [Walgreens Settlement](#). If FRUITA elects to

participate in this settlement with Walgreens, it must complete and sign the [Participation Form](#) (Attachment E), and return no later than **April 7, 2023**, with this [Google Form](#) or send to Opioids@coag.gov.

The five recent opioid settlements represent another significant step in Colorado's efforts to end the opioid crisis in our state. In order for Colorado to maximize its share of these settlements, Local Government participation is essential. If enough Local Governments join the five settlements, Colorado stands to receive an estimated \$300 million in addition to the millions of dollars our state has already begun receiving from previous opioid settlements.

We appreciate the spirit of togetherness Colorado's Local Governments have embraced in our effort to solve the opioid crisis. We know you will give careful consideration to the five settlements discussed in this letter. We urge you to join each settlement so that Colorado can maximize its share of the proceeds and move closer to saving the lives of so many Coloradoans impacted by this epidemic.

If you have any questions or need any additional information, please contact me and my team at opioids@coag.gov.



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