

**HAMBURG TOWNSHIP  
LIVINGSTON COUNTY, MICHIGAN**

**RESOLUTION NO. \_\_\_**

**RESOLUTION APPROVING OPTING-IN TO THE NATIONAL OPIOID  
LITIGATION SETTLEMENTS WITH CVS, WALMART, TEVA AND ALLERGAN**

WHEREAS, after several years of negotiation, nationwide settlements relating to the distribution and sale of opioids, have been reached against two national pharmacies, CVS and Walmart and against two pharmaceutical companies, Teva Pharmaceutical Industries and AbbVie/Allergan. 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");

WHEREAS, the settlements place numerous requirements on the companies to implement safeguards to prevent the over distribution and sale of opioids. Michigan has chosen to participate in each of these settlements and has negotiated a settlement agreement with the Litigating Subdivisions that will provide a higher payment to local subdivisions than what was proposed in the national settlements;

WHEREAS, the Township has received notice that it is eligible to participate in the settlements. The Michigan Attorney General's Office has estimated that Hamburg Township will receive approximately \$\_\_\_\_\_ over 13 years from the Teva settlement, \$\_\_\_\_\_ over 7 years from the Allergan settlement, \$\_\_\_\_\_ over 10 years from the CVS settlement and \$\_\_\_\_\_ over 1 to 6 years from the Walmart settlement. The total estimated amount from the four settlements is \$\_\_\_\_\_. The actual amounts received may vary;

WHEREAS, any funds received from the settlements must be spent on opioid remediation, which is defined in the settlement agreements. However, if a majority of governments that sued the companies do not accept the settlements, the proposed deals will fail, and litigation will continue.

WHEREAS, the four proposed settlements require the participating subdivisions to agree to the settlement terms. The settlements require: i) an agreement to the terms of the settlements; 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.

NOW, THEREFORE, BE IT RESOLVED, that Hamburg Township hereby elects to participate in the proposed settlements with two national pharmacies, CVS and Walmart and against two pharmaceutical companies, Teva Pharmaceutical Industries and AbbVie/Allergan.

BE IT FURTHER RESOLVED, that a the Township agrees to the terms of the settlements, a Release of Claims against the companies named in the litigation, 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 Judgments are filed.

BE IT FURTHER RESOLVED, the Township authorizes the Township Supervisor to opt-in to the settlements, consent to the terms of the settlements and take such further action as is necessary to receive the settlement funds.

BE IT FURTHER RESOLVED, 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.

At a meeting of the Hamburg Township Board, a motion was made by Board Member \_\_\_\_\_, supported by Board Member \_\_\_\_\_, to adopt the above resolution.

Ayes:  
Nays:  
Absent:

RESOLUTION DECLARED [ADOPTED/FAILED] on this \_\_\_\_ day of \_\_\_\_\_, 2023.

#### CERTIFICATION

I, Michael Dolan, being the duly elected Clerk of the Township of Hamburg, Livingston County, Michigan hereby certify that (1) the foregoing is a true and complete copy of the Resolution duly adopted by the Township Board on \_\_\_\_\_, 2023; (2) the original of such resolution is on file in the records of the Clerk's office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended); and (4) minutes of such meeting were kept and will be or have been (or will be) made available as required by the Open Meetings Act.

DATE: \_\_\_\_\_, 2023

\_\_\_\_\_  
Michael Dolan  
Hamburg Township Clerk