



National Opioid Settlements –Settlement Allocation Notice – Payment Years 1 (Allergan, Teva, Walmart, CVS, and Walgreens) and 2 (Walgreens only) – Colorado

1 message

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This is an official communication from the Directing Administrator of the National Opioid Settlements.

Important Dates

Date of Notice: 3/1/2024
Deadline to Dispute Allocation: 3/22/2024

Payment Allocation Determination

This Notice is an official communication from the Directing Administrator of the National Opioid Settlements. All capitalized terms used in this letter have the meanings Allergan Public Global Opioid Settlement Agreement, Teva Global Opioid Settlement Agreement, Walmart Settlement Agreement, CVS Settlement Agreement, and Walgreen Settlement Agreement (collectively, the “Settlement Agreements”). All references to Participating Subdivisions in this letter also refer to Participating Special Districts for purposes of Allergan Settlement Agreements. The Settlement Agreements can be viewed online at <https://www.nationalopioidofficialsettlement.com/Home/ImportantDocuments>.

Pursuant to Exhibit M and other applicable terms of the Settlement Agreements, for Payment Years 1 (all Settlement Agreements) and 2 (Walgreens Settlement Agreement) determined the Payments and the amounts to be paid to each Settling State and its Participating Subdivisions included on Exhibit G for each of the Settlement Agreements Allocation Spreadsheet, which includes seven tabs covering each payment at issue, shows the intrastate calculations and allocations for Colorado following the methodology instructed the Directing Administrator to follow. You may also find the calculations spreadsheet in your Beneficiary Portal at <https://www.nationalopioidofficialsettlement.com/BeneficiaryPortal>

Undisputed amounts shown on each spreadsheet tab will be paid beginning shortly after March 22, 2024.

Use of Settlement Funds

As a reminder, it is the intent of the Settlement Agreements that 100% of the Annual Payment be used for Opioid Remediation, as defined in the Settlement Agreements, subject to certain exceptions. Each Settlement Agreement imposes a penalty on any Settling State in which the spending of Annual Payments on non-Opioid Remediation exceeds specified limits. Colorado’s State-Subdivision Agreement or Allocation Statute may impose stricter limits on allowable spending.

In addition to the above, under the CVS Settlement Agreement, 95.5% of CVS’s Annual Payments over the entirety of all Payment Years must be spent on Opioid Remediation. The remaining 4.5% may only be spent outside of Opioid Remediation to the extent necessary to satisfy (a) back-stop attorney fee agreements entered into by Settling States with respect to one opioid settlement on or before November 30, 2022, even if such an agreement did not as of that date apply to CVS’s Annual Payments; or (b) contingency fee agreements entered into by Settling States covering CVS’s Annual Payments. Any amounts not spent to satisfy such agreements must be spent on Opioid Remediation.

	Settlement	Settlement Agreement Sections
1.	Allergan	I.62, VIII.B-C, XIV.C.2
2.	Teva	I.62, VIII.B-C, XV.C.2
3.	Walmart	I.QQ, V.B, VI.C.2
4.	CVS	I.VV, V.B, VI.C.2
5.	Walgreens	I.UU, V.B, VI.C.2

Your Right to Dispute

The Settlement Agreements provide that within twenty-one (21) calendar days of this notice, certain parties may dispute, in writing, the calculations of the amount to be received by the Settling State or Participating Subdivision listed on Exhibit G. See Table 2 for more information on particulars for each Settlement Agreement regarding who may dispute, who may be affected by a dispute, and the corresponding Settlement Agreement references. A dispute will be deemed invalid and disregarded if it challenges the allocations adopted by a State-Subdivision Agreement approved pursuant to the provisions of Exhibit O or by statute.

A party has until the Deadline to Dispute Allocation listed at the top of this Notice to provide a written notice of dispute. The amounts listed in this Allocation Notice will be paid to the party if the Directing Administrator has not received a party’s notice of dispute by email to DirectingAdministrator@NationalOpioidOfficialSettlement.com before midnight Eastern Standard Time on the Deadline to Dispute Allocation. Written notice must identify the nature of the dispute, the amount of money that is disputed, and the Settling State(s) or Participating Subdivision(s).

The parties to a dispute shall promptly meet and confer in good faith to resolve any dispute. If the parties cannot resolve the dispute informally, and unless otherwise agreed, any dispute shall be resolved in either the Court that entered the relevant Consent Judgment or, if no such Consent Judgment was entered, a state or territorial court located wherever the seat of the relevant state or territorial government is located. National Disputes shall be resolved by the National Arbitration Panel.

	Settlement	Settlement Agreement Sections	Who may Dispute	Who may Respond to
1.	Allergan	VII.B.6.b, VII.B.6.c, VII.B.6.e, XIV.G.1, XIV.G.4	Any Settling State or Exhibit G Participant	Any affected Settling State or any affected party
2.	Teva	VII.B.6.b, VII.B.6.c, VII.B.6.e, XV.G.1, XV.G.4	Any Settling State or Exhibit G Participant	Any affected Settling State or any affected party
3.	Walmart	IV.C.2.b, IV.C.2.c, VI.F.1, VI.F.3	Walmart, any Settling State, the Enforcement Committee, or a Participating Subdivision	Any affected party

Table 2 – Dispute Procedure References

	Settlement	Settlement Agreement Sections	Who may Dispute	Who may Respond to
4.	CVS	IV.C.4.b, IV.C.4.c, VI.F.1, VI.F.3	Any Settling State or Participating Subdivision listed on Exhibit G	Any affected Settling State or affected F
5.	Walgreens	IV.C.4.b, IV.C.4.c, VI.F.1, VI.F.2	Any Settling State or Participating Subdivision listed on Exhibit G	Any affected Settling State or affected F

To Accept Payment

If you do not dispute the payment and have previously created a Portal Account and completed your Payment Election Forms and W-9 Forms, no further action is needed to provide updated payment instructions. The Directed Trustee will begin issuing payments after the applicable deadlines have passed using the payment instructions entered. If you have not previously created a Portal Account, please do so and complete the Payment Election Forms and W-9 Forms to create payment instructions for any Settlement Payment instructions current in your Portal Account at <https://www.nationalopioidofficialsettlement.com/> to prevent any delays in receiving your settlement payments.

As a reminder, your Case Manager is Emily Sirney whose email address is esirney@browngreer.com. We invite you to direct any questions you may have about creating payment information, or the National Opioid Settlements in general to Emily.

Sincerely,

**Directing Administrator
National Opioid Settlements**

BROWNGREER PLC

Telephone: (888) 441-2010

DirectingAdministrator@NationalOpioidOfficialSettlement.com

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 **CO Pmnt Allocations Walmart Walgreens CVS Allergan Teva.xlsx**
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