

KROGER OPIOID SETTLEMENTS



PHARMACY SETTLEMENT HIGHLIGHTS

- Statewide Opioid Settlement Amount \$83,070,120.81*
- 15/15/70 under (Gov't Code Chapter 403)
 - State Share \$11,297,314.79
 - Subdivision Share: \$11,297,341.79
 - Abatement Share: \$52,720,928.34
- Kroger pays over 11 years (first 2 payments due before 04/2025)
- Return all signed Releases on or before 12/18/24

*Plus fees

TEXAS OPIOID SETTLEMENT OVERVIEW



KROGER SETTLEMENT HIGHLIGHTS

- \$75,315,611.99 over 11 years as a Texas Statewide Opioid Settlement Agreement (SOSA)
- Plus Fees paid by Kroger (\$7,282,379.52)
- Same SOSA amount as the Global
- Kroger Pays settlement funds *directly* into Texas Accounts
- Provides for a Texas Release and Texas Jurisdiction with no federal enforcement or oversight
- Interest stays with the money instead of being used to pay a Global Administrator's costs and expenses

_____ COUNTY'S DIRECT ALLOCATION

(EST. PER TEXAS TERM SHEET USED BY OPIOID STATUTE TRUSTEE)

- Direct from the Subdivision Fund and in recognition of past opioid expenditures:

Total Subdivision Fund: \$75,315,611.99 * 15% = **\$11,297,341.79**

_____ County Share: \$11,297,341.79 * _____% = \$_____

Total Direct funds: \$_____

First two payments to Statutory Trust Account by approximately April 1, 2025

COUNTY'S REGIONAL ALLOCATION

(EST. TO OPIOID COUNCIL)

Abatement Fund to Opioid Council for grant application and abatement use restrictions: \$52,720,928.34 minus \$13,435,348.53* = \$39,285,579.81

Region ___ (_____%): \$_____*

* Amount is after Abatement Fund reduction of (1) \$5 million Access to Justice Foundation Statutory allocation, (2) 15% Hospital District Statutory Share, and (3) 1% statutory oversight expenses to state

PHARMACY SETTLEMENT PAYMENTS

Defendant	Subdivision Share	County	Regional Share (with reductions for AJF, Hospital Share, State 1% expense)	Region
Kroger	\$11,297,341.79	\$	\$39,285,579.81	\$

TX OPIOID SETTLEMENTS ACHIEVED
THROUGH DALLAS AND BEXAR COUNTY TRIAL SETTINGS

DEFENDANT	AMOUNT
Janssen	\$296,841,002.36
Endo	\$63,000,000.00
Teva	\$225,000,000.00
Big 3 Distributors	\$1,271,427,627.66
Allergan	\$134,237,638.75
Walgreens	\$324,100,609.00
CVS	\$298,052,252.00
Walmart	\$168,782,373.21
Kroger	\$83,070,120.81
Total to Date	\$2,864,511,623.79

COUNSEL'S RECOMMENDATION

- ACCEPT THE KROGER SETTLEMENT
- AUTHORIZE COUNTY OFFICIAL'S SIGNATURE ON THE ORDER/RESOLUTION AND THE TEXAS RELEASE AND PARTICIPATION FORM
- SCAN AND EMAIL THE SIGNED TEXAS PARTICIPTION AND RELEASE FORMS TO COUNSEL