

ENROLLED ORDINANCE 177-103

APPROVE SETTLEMENT AGREEMENTS WITH CERTAIN OPIOID PHARMACIES AND PHARMACEUTICAL COMPANIES AND APPROVE WISCONSIN STATE-LOCAL ALLOCATION MOU

WHEREAS, in February 2018 the Waukesha County Board adopted Enrolled Resolution 172-004 authorizing the Waukesha County Corporation Counsel to, at his discretion, select outside counsel and commence a lawsuit on behalf of the County, against any pharmaceutical company, wholesale distributor, manufacturer and/or other entity or individual that engaged in practices that contributed to the opioid epidemic within Waukesha County; and

WHEREAS, national and local counsel was retained and a lawsuit was filed on behalf of the County against certain manufactures, distributors, and retailers of opioid pharmaceuticals (the "Opioid Defendants") in an effort to hold the Opioid Defendants financially responsible for the County's expenditure of money and resources to combat the opioid epidemic; and

WHEREAS, similar lawsuits were filed by seventy other counties in Wisconsin as well as thousands of various other units of government across the state and country and were coordinated in multidistrict litigation in the Northern District of Ohio captioned *In re: Opioid Litigation*, MDL 2804 (the "Litigation"); and

WHEREAS, settlement discussions with Walgreens, Walmart, CVS, Teva and Allergan (the "Settling Defendants") have resulted in tentative agreements as to settlement terms ("Settlement Agreements") pending agreement from the County and other plaintiffs involved in the Litigation; and

WHEREAS, copies of the Settlement Agreements with the Settling Defendants representing the terms of the tentative settlement agreements with the Settling Defendants are publicly available at <https://nationalopioidsettlement.com> and have been discussed with the Board in closed session; and

WHEREAS, the Settlement Agreements provide, among other things, for the payment of certain sums to Participating Subdivisions (as defined in the Settlement Agreements) upon the occurrence of certain events detailed in the Settlement Agreements; and

WHEREAS, in order to become a Participating Subdivision and participate in the benefits of the Settlement Agreements it is necessary that the County (a) approves the Settlement Agreements and (b) approves the memorandum of understanding allocating proceeds from the Settlement Agreements among the various Wisconsin Participating Subdivisions and the State of Wisconsin (the "Wisconsin State-Local Allocation MOU"); and that the Legislature's Joint Committee on Finance approves the terms of the Settlement Agreements and the Wisconsin State-Local Allocation MOU; and

WHEREAS, a current draft of the Wisconsin State-Local Allocation MOU is on file in the Corporation Counsel's office pending approval by the County Board and has been shared with the Board in closed session.

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PHARMACEUTICAL COMPANIES AND APPROVE WISCONSIN STATE-LOCAL ALLOCATION MOU

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County,
Wisconsin, was presented to the County Executive on:

Date: 4/2/23, Margaret Wartman
Margaret Wartman, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County,
Wisconsin, is hereby:

Approved: X

Vetoed: _____

Date: 4/3/2023, Paul Farrow
Paul Farrow, County Executive

VOTE RESULTS

23

YES

0

NO

0

ABSTAIN

2

ABSENT

Ordinance 177-O-110

Ordinance 177-O-110: Approve Settlement Agreements with Certain Opioid Pharmacies and Pharmaceutical Allocation MOU



Passed By Majority Vote

D1 - Foti	AVE	D10 - Thieme	AVE	D19 - Enriquez	AVE
D2 - Weil	AVE	D11 - Howard	AVE	D20 - Schellinger	AVE
D3 - Morris	AVE	D12 - Wolff	AVE	D21 - Gaughan	AVE
D4 - Batzko	AVE	D13 - Decker	AVE	D22 - Szpara	AVE
D5 - Grant	ABSENT	D14 - Mommaerts	AVE	D23 - Hammitt	AVE
D6 - Walz	AVE	D15 - Kolb	AVE	D24 - Bangs	AVE
D7 - LaFontain	AVE	D16 - Crowley	AVE	D25 - Johnson	AVE
D8 - Koremenos	AVE	D17 - Meier	ABSENT		
D9 - Heinrich	AVE	D18 - Nelson	AVE		

13th Meeting, 177th Year of the County Board Supervisors - March 28 2023 07:41:32 PM

March 28 2023

