

ENROLLED ORDINANCE 180-91

APPROVE SETTLEMENT AGREEMENTS WITH CERTAIN OPIOID DISTRIBUTORS
AND AUTHORIZE LOCAL GOVERNMENT ALLOCATION AGREEMENT
MODIFICATION

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 opioid distributors Associated Pharmacies, Inc. (and American Associated Pharmacies), J M Smith Corporation, Morris and Dickson Co., L.L.C., Louisiana Wholesale Drug Company, Inc., North Carolina Mutual Wholesale Drug Company, Inc., and United Foods, Inc. (and SuperValu) (the “Settling Defendants”) have resulted in a tentative agreement as to settlement terms (“Settlement Agreement”) pending agreement from the County and other plaintiffs involved in the Litigation; and

WHEREAS, copies of the Settlement Agreement with the Settling Defendants representing the terms of the tentative settlement agreement with the Settling Defendants is publicly available at <https://nationalopioidsettlement.com/remnant-settlements/> and has been discussed with the Board in closed session; and

WHEREAS, the Settlement Agreement provides, among other things, for the payment of certain sums to Participating Subdivisions (as defined in the Settlement Agreement) upon the occurrence of certain events detailed in the Settlement Agreement; 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) approve the Settlement Agreement and (b) authorizes any necessary modification to existing, previously approved state-local allocation agreements to implement the Settlement Agreement.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the settlement agreement with Associated Pharmacies, Inc. (and American Associated Pharmacies), J M Smith Corporation, Morris and Dickson Co., L.L.C., Louisiana Wholesale Drug Company, Inc., North Carolina Mutual Wholesale Drug Company, Inc., and United Foods, Inc. (and SuperValu) (collectively, the “Settlement Agreement”) is in all respects hereby approved.

BE IT FURTHER ORDAINED that Corporation Counsel or his designee is hereby authorized to take all actions necessary to participate in the Settlement Agreement and to modify previously approved state-local allocation agreements in a manner that allows participation in a form substantially consistent with prior allocations of opioid settlement proceeds, and to negotiate and execute any other documents necessary to implement the Settlement Agreement.

BE IT FURTHER ORDAINED that all proceeds from the Settlement Agreement shall be deposited in the account previously established for the proceeds from prior settlements in the Litigation and administered and disbursed in a manner consistent with Wis. Stat. § 165.12(4), the Settlement Agreement and this Ordinance.

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VOTE RESULTS

Ordinance 180-O-092
Approve Settlement Agreement with Certain Opioid Distributors and Authorize Local Government Allocations Agreement Modification.

19 AYE 0 NAY 0 ABSTAIN 6 ABSENT

Majority Vote of Members Present

Passed

D1 - Styza	ABSENT	D10 - Thieme	M	AYE	D19 - Enriquez	AYE
D2 - Euclide	ABSENT	D11 - Howard		AYE	D20 - Schellinger	AYE
D3 - Gscheidmeier	AYE	D12 - Wolff		AYE	D21 - Gaughan	AYE
D4 - Batzko	AYE	D13 - Leisemann	S	AYE	D22 - Szpara	AYE
D5 - Dondlinger	AYE	D14 - Mommaerts		ABSENT	D23 - Hammitt	AYE
D6 - Walz	ABSENT	D15 - Kolb		ABSENT	D24 - Schroeder	AYE
D7 - LaFontain	AYE	D16 - Crowley		AYE	D25 - Johnson	AYE
D8 - Koremenos	ABSENT	D17 - Meier		AYE		
D9 - Heinrich	AYE	D18 - Nelson		AYE		

Computer malfunction
Euclide + Kolb ~~was~~ were present and voted "Aye"

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APPROVE SETTLEMENT AGREEMENTS WITH CERTAIN OPIOID
DISTRIBUTORS AND AUTHORIZE LOCAL GOVERNMENT ALLOCATION
AGREEMENT MODIFICATION

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

Date: 4-17-2026, Jennifer Moore, deputy
Margaret Wartman, County Clerk

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

Approved: X

Vetoed: _____

Date: 4/20/2026, Paul Farrow
Paul Farrow, County Executive