

ENROLLED ORDINANCE 180-33

AUTHORIZE PURDUE BANKRUPTCY PLAN VOTE AND APPROVE GOVERNMENTAL ENTITY SETTLEMENT AGREEMENT

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, in 2019 Opioid Defendant Purdue Pharma L.P. and affiliated debtors ("Purdue") filed for Chapter 11 bankruptcy protection in the United States Bankruptcy Court for the Southern District of New York in a case styled *In re Purdue Pharma L.P. et al.*, (Case No. 10-23649) (the "Purdue Bankruptcy"); and

WHEREAS, Purdue is now soliciting acceptance of a Chapter 11 Plan of Reorganization (the "Plan") which contemplates a global settlement of the bankruptcy estate's claims against the Sackler family shareholders through an Estate Claims Settlement and a Direct Claims Settlement. Under the Estate Claims Settlement, Purdue will settle its claims against the Sackler family. Under the Direct Claims Settlement, the Sackler family will provide cash distributions to Purdue's creditors who participate in a Governmental Entity Settlement Agreement in exchange for the creditors releasing their direct claims against the Sackler family. The Sackler family will make up to \$6.5 billion in cash payments over 15 years and will relinquish their equity interests in Purdue; and

WHEREAS, under the Plan, Purdue will further make distributions to states, including Wisconsin, totaling an estimated \$1.46 billion; and

WHEREAS, a copy of the Plan, the Governmental Entity Settlement Agreement, and related documents are publicly available at <https://nationalopioidsettlement.com/purdue-sacklers-settlements/> and have been discussed with the Board in closed session; and

WHEREAS, the Governmental Entity Settlement Agreement provides, among other things, for the payment of certain sums to Participating Subdivisions (as defined in the Governmental Entity Settlement Agreement), upon the occurrence of certain events detailed in that agreement; and

WHEREAS, in order to become a Participating Subdivision and receive payments under the Plan the Plan must be confirmed and local governmental entities must approve the Governmental

AUTHORIZE PURDUE BANKRUPTCY PLAN VOTE AND
APPROVE GOVERNMENTAL ENTITY SETTLEMENT AGREEMENT

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

Date: 08-29-2025, 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: 8/29/2025, Paul Farrow
Paul Farrow, County Executive

VOTE RESULTS

23 YES 0 NO 0 ABSTAIN 2 ABSENT

Ordinance 180-O-034

Ordinance 180-O-034: Authorize Purdue Bankruptcy Plan Vote And Approve Governmental Entity Settlement Agreement

 **Passed By Majority Vote**

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

5th Meeting, 180th Year of the County Board of Supervisors - August 26 2025 07:53:23 PM

August 26, 2025

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2 ENTITY SETTLEMENT AGREEMENT
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6 counsel and commence a lawsuit on behalf of the County, against any pharmaceutical company,
7 wholesale distributor, manufacturer and/or other entity or individual that engaged in practices
8 that contributed to the opioid epidemic within Waukesha County; and
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11 County against certain manufactures, distributors, and retailers of opioid pharmaceuticals (the
12 "Opioid Defendants") in an effort to hold the Opioid Defendants financially responsible for the
13 County's expenditure of money and resources to combat the opioid epidemic; and
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16 thousands of various other units of government across the state and country and were
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28 Settlement. Under the Estate Claims Settlement, Purdue will settle its claims against the Sackler
29 family. Under the Direct Claims Settlement, the Sackler family will provide cash distributions to
30 Purdue's creditors who participate in a Governmental Entity Settlement Agreement in exchange
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32 make up to \$6.5 billion in cash payments over 15 years and will relinquish their equity interests
33 in Purdue; and
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35 WHEREAS, under the Plan, Purdue will further make distributions to states, including
36 Wisconsin, totaling an estimated \$1.46 billion; and
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40 [settlements/](https://nationalopioidsettlement.com/purdue-sacklers-settlements/) and have been discussed with the Board in closed session; and
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42 WHEREAS, the Governmental Entity Settlement Agreement provides, among other things, for
43 the payment of certain sums to Participating Subdivisions (as defined in the Governmental Entity
44 Settlement Agreement), upon the occurrence of certain events detailed in that agreement; and
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46 WHEREAS, in order to become a Participating Subdivision and receive payments under the Plan
47 the Plan must be confirmed and local governmental entities must approve the Governmental

Entity Settlement Agreement and execute participation agreements which, among other things, provide voluntary releases with respect to claims against the Sackler family.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that Corporation Counsel or his designee is hereby authorized to cast a vote in favor of Purdue's Chapter 11 Plan of Reorganization.

BE IT FURTHER ORDAINED that the Governmental Entity 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 Governmental Entity Settlement Agreement and to modify as necessary any previously approved state-local allocation agreement 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 Governmental Entity Settlement Agreement.

BE IT FURTHER ORDAINED that all proceeds from the Plan and Governmental Entity 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 Plan, the Governmental Entity Settlement Agreement and this Ordinance.