

Resolution No. 03-22

RESOLUTION: To authorize the City of Rockville Corporate Counsel to execute, on behalf of the Rockville Mayor and Council: (1) certain Settlement Participation Forms and any related documents, and (2) the State of Maryland Distributors & Janssen National Settlements State-Subdivision Agreement Approval Form, and any related documents, in order to obtain and in consideration for the benefits provided to the City of Rockville under the Distributor Settlement Agreement and the Janssen Settlement Agreement, each dated July 21, 2021, as effectuated by the State-Subdivision Agreement for Maryland.

#### RECITALS

**WHEREAS**, more than 2,900 civil lawsuits have been filed against certain opioid manufacturers, opioid distributors, and retailers, primarily by state, local and tribal governments, relating to the impact of the distribution and use of opioids; and

**WHEREAS**, most of those civil lawsuits have been consolidated in a multidistrict litigation in the federal District Court for the Northern District of Ohio – *In re National Prescription Opiate Litigation* (the “**Consolidated Opioid Lawsuit**”); and

**WHEREAS**, Rockville Mayor and Council is a plaintiff in the Consolidated Opioid Lawsuit; and

**WHEREAS**, certain defendants in the Consolidated Opioid Lawsuit – Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., Janssen Pharmaceutica, Inc., and related entities (collectively, “**Janssen**”), and McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, and related entities (collectively, “**Settling Distributors**”) – are proposing to settle the claims against them in the Consolidated Opioid Lawsuit (the “**Janssen-Distributors Opioid Settlement**”); and

**WHEREAS**, Maryland Attorney General has proposed a State-Subdivision Agreement to implement the distribution of Janssen-Distributors Opioid Settlement funds to local governments in Maryland; and

**WHEREAS**, under the Janssen-Distributors Opioid Settlement and the State-Subdivision Agreement, the Rockville Mayor and Council will receive certain settlement funds and will be eligible to receive certain grants to combat opioid use within the City of Rockville; and

**WHEREAS**, the Rockville Mayor and Council have determined that entry into the Janssen-Distributors Opioid Settlement and the State-Subdivision Agreement is in the best interest of the City and its residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND**, that the Corporate Counsel of the City of Rockville be, and he hereby is, authorized to negotiate and execute certain Settlement Participation Forms, and related documents (if any) with Janssen and the Settling Distributors, and the State of Maryland Distributors & Janssen National Settlements State-Subdivision Agreement Approval Form, and related documents (if any).

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I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Mayor and Council of Rockville at its meeting of January 24, 2022.

Sara Taylor-Ferrell

Sara Taylor-Ferrell, City Clerk/Director of Council Operations