

Warren County Board of Supervisors

RESOLUTION NO. 86 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS THOMAS, CONOVER, BEATY, FRASIER, WILD, BRAYMER AND RUNYON

APPROVING A SETTLEMENT AGREEMENT WITH REGARD TO THE OPIOID CRISIS AND RATIFYING THE ACTIONS OF THE CHAIR OF THE BOARD OF SUPERVISORS, THE COUNTY ATTORNEY, AND NAPOLI & SHKOLNIK, PLLC AS COUNSEL FOR THE COUNTY

WHEREAS, on December 9, 2021, Allergan Finance, LLC and Allergan Limited (collectively, “Allergan”), entered into a written settlement agreement called the “Allergan New York Statewide Opioid Settlement Agreement” (hereafter, Allergan Agreement”) with the New York Attorney’s General Office, the County of Suffolk and the County of Nassau, which settled all claims regarding Allergan’s manufacturing and distribution of opioids in New York State, with the Allergan Agreement being achieved following five months of a civil jury trial and prior to the case being submitted to the jury, and

WHEREAS, the Allergan Agreement requires Allergan to pay a total of Two Hundred Million Dollars (\$200,000,000.00) (hereafter, “Settlement Proceeds”) which shall be allocated, distributed, and the proceeds used as set forth by the “Allergan New York Opioid Settlement Sharing Agreement” (hereafter, “Sharing Agreement”) among and between the State of New York, by and through the New York State Attorney General’s Office; Nassau and Suffolk Counties; New York State Office of Addiction Services and Supports; “Large New York Cities;” and Direct Share Subdivisions in the State of New York, and

WHEREAS, Warren County is a Direct Share Subdivision under the Sharing Agreement and will receive 0.612162823% of the Settlement Funds allocated for distribution to members of the Direct Share Subdivisions, and

WHEREAS, the allocation to Warren County as a member of the Direct Share Subdivision class will include unrestricted funds and restricted funds, and

WHEREAS, payment for legal services rendered to Warren County’s counsel, Napoli & Shkolnik,

RESOLUTION No. 86 OF 2022

PAGE 2 OF 2

PLLC, are set forth by the Allergan Agreement, and

WHEREAS, the Chair of the Board of Supervisors, the County Attorney, and Napoli & Shkolnik, PLLC, executed the Allergan Agreement and the Sharing Agreement prior to the February 18, 2022 Board of Supervisors meeting in order to satisfy the timetable and deadline provided by each document and for the Warren County to be included as a Direct Share Subdivision, now, therefore, be it

RESOLVED, that the Allergan Agreement and Sharing Agreement are each approved and accepted by the County, and it is further

RESOLVED, that the County is authorized to accept all funds distributed as and for the County's pro-rata share of Unrestricted Funds and Restricted Funds as a member of the Direct Share Subdivision, as provided by the Allergan Agreement and Sharing Agreement, and it is further

RESOLVED, that the actions of the Chair of the Board of Supervisors, the County Attorney, and Napoli & Shkolnik, PLLC, be, and hereby are, ratified with regard to executing the Allergan Agreement and the Settlement Agreement with regard to the opioid litigation.