

Warren County Board of Supervisors

RESOLUTION NO. 43 OF 2023

RESOLUTION INTRODUCED BY SUPERVISORS DRISCOLL AND BRAYMER

**APPROVING A SETTLEMENT AGREEMENT WITH REGARD TO THE OPIOID CRISIS
AND AUTHORIZING ACCEPTANCE OF THE TEVA/NEW YORK STATEWIDE
OPIOID SETTLEMENT AGREEMENT**

WHEREAS, on November 3, 2022, Teva and approximately 245 Related Entities (hereafter collectively, “TEVA”), entered into a written settlement agreement called the “TEVA New York Statewide Opioid Settlement Agreement” (hereafter, “TEVA Agreement”) with the New York Attorney’s General Office, the County of Suffolk, the County of Nassau, and all New York Participating Subdivisions, to resolve opioid-related claims against TEVA in New York State, and

WHEREAS, the TEVA Agreement incorporates additional sub-agreements, to include the New York Subdivision Settlement Participation Form; the TEVA New York Global Payment Opioid Settlement Sharing Agreement; and the TEVA New York Premium Payment Opioid Settlement Sharing Agreement (hereafter collectively, “TEVA Sub-Agreements”), which require TEVA to pay as much as Five Hundred Fifty Million Dollars (\$550,000,000.00) (hereafter, “Settlement Proceeds”) as a total payment which shall be allocated, distributed, and the proceeds used as required by the TEVA Agreement, and

WHEREAS, upon signing the TEVA Agreement and TEVA Sub-Agreements, Warren County will qualify as a Participating Subdivision under the TEVA Agreement and will receive a portion of the Settlement Proceeds to be distributed by the New York State Attorney General’s Office, in compliance with the terms and conditions of the TEVA Agreement, and

WHEREAS, the allocation to Warren County as a Participating Subdivision will include Abatement Amounts, which are restricted use funds, and Unrestricted Amounts, which will not be restricted in use, and

WHEREAS, payment for legal services rendered by Warren County’s retained counsel, Napoli & Shkolnik, PLLC, are set forth by the TEVA Agreement, now, therefore, be it

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RESOLVED, that the TEVA Agreement, to include the TEVA Sub-Agreements are approved and accepted by the County, and it is further

RESOLVED, that the County is authorized to accept the County's share of Settlement Proceeds distributed, as either Abatement Amounts or Unrestricted Amounts, as a Participating Subdivision under the TEVA Agreement and the TEVA Sub-Agreements; and it is further

RESOLVED, that the Chair of the Board of Supervisors, the County Attorney, and Napoli & Shkolnik, PLLC, be, and hereby are, authorized to execute the TEVA Agreement and the TEVA Sub-Agreements with regard to the settlement of this opioid litigation.