

DANE COUNTY

OPIOID SETTLEMENT



Presented By
Dane County Office of
Corporation Counsel

Opioid Settlement

❖ Background

- ❖ County Board authorized Corp Counsel to retain outside counsel to join nationwide litigation against Opioid Manufacturers, Distributors and Retailers
- ❖ The law firm of Baron & Budd was a member of the consortium of law firms representing local governments nationwide.
- ❖ Dane County filed a lawsuit in the Western District Court of Wisconsin in June 2018; Case was consolidated in the MDL in the US District Court of Ohio

Opioid Settlements

- ❖ Litigation has led to 2 “Global” Settlements
 - ❖ In 2022, the County Board approved joining a settlement with 4 defendants
 - ❖ Three Major Distributors: Amerisource Bergen, Cardinal Health & McKesson
 - ❖ 1 Manufacturer: Jansen (aka Johnson & Johnson)

- ❖ In 2023, the County Board approved joining a settlement with 5 other defendants
 - ❖ Two Manufacturers: Teva and Allergan
 - ❖ Three Retailers: Walmart, Walgreens and CVS

Opioid Settlements

- ❖ Allocation Formula for Settlement Dollars in WI
 - ❖ In 2021, the Legislature adopted Wis. Stat. §165.12 that controls allocation.
 - ❖ 70% of funds allocated to Wisconsin to litigating local governments
 - ❖ 30% to the State
 - ❖ Share to Local Governments is allocated per a MOU
 - ❖ Dane County receives 8.248% of the WI Local Government Allocation.

Opioid Settlements

- ❖ 2022 First Settlement: Janssen & 3 Distributors
 - ❖ Distributors are to pay a total of \$21 billion over 18 years to all litigating entities
 - ❖ Jansen is to pay \$5 billion over no more than 9 years to all litigating entities
- ❖ Total Wisconsin Allocation is \$402,168,925
- ❖ Dane County share is \$23,220,547

Opioid Settlements

❖ First Settlement Payments To Date

❖ Distributor Payment 1	-	\$643,694.67	07/29/22
❖ Distributor Payment 2	-	\$676,492.72	10/17/22
❖ Janssen Payment 1	-	\$229,159.44	11/30/22
❖ Janssen Payment 2	-	\$534,633.61	11/30/22
❖ Janssen Payment 3	-	\$427,908.84	11/30/22
❖ Janssen Payment 4	-	\$657,037.53	11/30/22
❖ Janssen Payment 5	-	\$728,256.19	11/30/22
❖ Total: \$3,897,182			
❖ Received more than anticipated in 2022 due to “front loading” of Janssen payments.			
❖ Distributor Payment 3 of \$676,491.72 allocated and expected to be received by Mid-July, 2023.			

Opioid Settlements

- ❖ Second Settlements: 2 Manuf. & 3 Retailers
 - ❖ Defendants will pay \$18.76 billion over 14 years.
 - ❖ Teva up to \$3.34 billion over 13 years
 - ❖ Allergan \$2.02 billion over 7 years
 - ❖ CVS \$4.9 billion over 10 years
 - ❖ Walgreens \$5.52 billion over 15 years
 - ❖ Walmart \$2.74 billion within 6 years.
 - ❖ Final Allocation will be based on the number of participating States and Local Governments
 - ❖ That is being calculated now. Too early for real #s
 - ❖ Should have more information within 60 days or so.
 - ❖ Payments may start in the 4th Qtr. (But cannot be confirmed)

Opiod Settlements

❖ Other Defendants

- ❖ Dane County still has claims against several defendants
 - ❖ Some have filed for bankruptcy.
 - ❖ Future settlements with some likely.

Opioid Settlements

❖ Questions?