

**APPROVING THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS
AGAINST ALVOGEN, INC., AMNEAL PHARMACEUTICALS, INC., APOTEX, INC.,
HIKMA PHARMACEUTICALS USA, INC., INDIVIOR, INC., MYLAN
PHARMACEUTICALS, INC., SUN PHARMACEUTICAL INDUSTRIES, INC., ZYDUS
PHARMACEUTICALS, INC., AND PURDUE PHARMA, LLP AND THE SACKLER
FAMILY**

In 2018, Dane County (“County”) joined many other municipalities in Wisconsin in bringing suit against several manufacturers, distributors, wholesalers, and retailers responsible for the opioid epidemic. The County’s lawsuit was also joined with lawsuits from states and local governments across the country in what is called Multi-District Litigation administered by a Federal Judge in Cleveland, Ohio. Plaintiffs’ interests are represented by a National Consortium that includes the County’s retained counsel. In its complaint, the County sought the recovery of the financial resources previously expended and to be expended in the future to abate the consequences and harms of the opioid epidemic on the County’s residents.

In 2021 the National Consortium reached nationwide settlements with three pharmaceutical distributors, McKesson, Cardinal Health, and Amerisource Bergen, and one manufacturer, Janssen Pharmaceuticals, Inc., and its parent company Johnson & Johnson. In 2023 the National Consortium reached nationwide settlements with two manufacturers, Teva and Allergan, and three retail pharmacies, CVS, Walgreens and Walmart. In 2024 the National Consortium reached a nationwide settlement with the retail pharmacy Kroger Co. The County Board approved County participation in those settlements and authorized the Office of Corporation Counsel to execute the appropriate settlement documents. Dane County began receiving funds from those settlements in 2022. A Nationwide settlement has now been reached to resolve claims by state and local governments against the manufacturers of generic opioids, Alvogen, Inc., Amneal Pharmaceuticals, Inc., Apotex, Inc., Hikma Pharmaceuticals USA, Inc., Indivior Inc., Mylan Pharmaceuticals Inc., Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals, Inc. The Settlement requires the Settling Defendants to pay \$844,000,000 in cash and \$355,000,000 in life-saving opioid addiction and overdose treatment drugs to be used by participating states and local governments to remediate and abate the impacts of the opioid crisis. The total value of these settlements for cash and product is \$1,199,000,000.

The County can participate in these settlements if it approves the Settlement Agreements. The settlement proceeds will be distributed in the manner approved for the previous settlements. The County Board has previously approved a Memorandum of Understanding with the Wisconsin Attorney General regarding the allocation of settlement proceeds. That agreement provides that 70 percent of the total proceeds to the State of Wisconsin will go to the litigating local governmental entities. The County’s share of the proceeds going to Wisconsin local governments is expected to be approximately 8.248 percent.

Purdue Pharma, LLP was originally named as a Defendant in the MDL litigation. Purdue filed for bankruptcy in 2019. Our National Consortium has fought for 6 years to bring justice and closure to the devastation that OxyContin has caused to communities throughout the United States,

47 including Dane County. To that end a package of settlements has been reached with Purdue and
48 the Sackler family. The settlement contemplates that the Sacklers will pay an aggregate of
49 approximately \$6.5 billion in 16 payments over 15 years. In addition, \$1.5 billion will be paid
50 from the Purdue bankruptcy estate. The settlement also includes restrictions on the Sackler family
51 from engaging directly or indirectly in the manufacturing or sale of opioids. To participate in these
52 settlements the County must approve the Purdue bankruptcy plan and sign a Governmental Entity
53 Settlement Agreement Sackler Release. Our National Consortium is strongly recommending Dane
54 County approve the Purdue plan and sign the Sackler Agreement.
55

56 **NOW, THEREFORE, BE IT RESOLVED** that the nationwide settlement with Alvogen,
57 Inc., Amneal Pharmaceuticals, Inc., Apotex, Inc., Hikma Pharmaceuticals USA, Inc., Indivior Inc.,
58 Mylan Pharmaceuticals Inc., Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals, Inc.
59 is hereby approved and that the Office of the Corporation Counsel and/or the County's outside
60 legal counsel are hereby authorized, to take such action as may be necessary to opt-in the
61 settlements.
62

63 **BE IT FURTHER RESOLVED** that the Purdue Pharma Bankruptcy Plan and Sackler
64 Governmental Entity Settlement Agreement are approved and that the Office of the Corporation
65 Counsel and/or the County's outside legal counsel are hereby authorized, to take such action as
66 may be necessary to opt-in the settlements.
67

68 **BE IT FURTHER RESOLVED** that the Office of Corporation Counsel is hereby
69 authorized to approve any future settlements in the National Prescription Opiate Litigation, Case
70 No. 1:17-MD-2804. The Corporation Counsel shall notify the County Board Chair and County
71 Executive before approving any such settlement.