

## RESOLUTION NO. 21-122

**Resolution Of The City Council Of The City Of Emeryville Authorizing The City Attorney To Execute National And State Participation Agreements And Take Related Actions To Receive Funding From The National Opioid Settlement Involving Distributors McKesson, Cardinal Health And AmerisourceBergen And Manufacturers Jansen Pharmaceuticals, Inc. And Johnson & Johnson**

**WHEREAS**, in 2017, the U.S. Health and Human Services Agency declared a nationwide public health emergency regarding the opioid crisis; and

**WHEREAS**, almost 4,000 state and local governments across the country have filed lawsuits in both federal and state courts against distributors and manufacturers of opioids seeking damages for the adverse impacts caused by the opioid crisis; and

**WHEREAS**, there is a proposed nationwide settlement to settle all state and local government claims against distributors McKesson, Cardinal Health and Amerisource Bergen (collectively referred to as “Distributors”), and a separate, but similar nationwide settlement to settle all state and local government claims against manufacturer Jansen Pharmaceuticals, Inc., and its parent company, Johnson & Johnson (collectively referred to as “Johnson & Johnson”), with the two nationwide settlement agreements referred as the “National Settlement”; and

**WHEREAS**, the National Settlement provides that non-litigating governmental entities may participate in the National Settlement if the non-litigating governmental entity executes participating agreements in which the non-litigating governmental entity waives and releases its claims against the Distributors and Johnson & Johnson to receive funds disbursed pursuant to the National Settlement; and

**WHEREAS**, to further implement the National Settlement, the State of California also requires non-litigating entities to agree to certain terms and conditions as to how the funds received under the National Settlement will be used to maximize benefit in the state; now, therefore, be it

**RESOLVED**, by the City Council of the City of Emeryville that the City Attorney is authorized to execute participation forms and to take related actions to receive funding from the National Opioid Settlement Involving Distributors McKesson, Cardinal Health and AmerisourceBergen and Manufacturers Jansen Pharmaceuticals, Inc. and Johnson & Johnson.

Resolution No. 21-122  
National Opioid Settlement  
City Council Meeting | November 16, 2021  
Page 2 of 2

**ADOPTED**, by the City Council of the City of Emeryville at a regular meeting held Tuesday, November 16, 2021, by the following vote:

AYES:	<u>4</u>	Mayor Martinez, Vice Mayor Donahue, and Council Members Bauters and Medina
NOES:	<u>0</u>	
ABSTAIN:	<u>0</u>	
ABSENT:	<u>0</u>	

DocuSigned by:  
  
BBAF287D25AB463...  
MAYOR

ATTEST:

DocuSigned by:  
  
FB7B5D8EAB6A4BE...  
CITY CLERK

APPROVED AS TO FORM:

DocuSigned by:  
  
962663BD5573494...  
INTERIM CITY ATTORNEY