

**PROPOSED**

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING \_\_\_\_\_ COUNTY TO JOIN  
THE STATE OF TENNESSEE AND OTHER LOCAL  
GOVERNMENTS AS PARTICIPANTS IN THE TENNESSEE  
STATE-SUBDIVISION OPIOID ABATEMENT AGREEMENT  
AND APPROVING THE RELATED SETTLEMENT  
AGREEMENTS

WHEREAS, the opioid epidemic continues to impact communities in the United States, the State of Tennessee, and \_\_\_\_\_ County, Tennessee.

WHEREAS, \_\_\_\_\_ County has suffered harm and will continue to suffer harm as a result of the opioid epidemic;

WHEREAS, the State of Tennessee and some Tennessee local governments have filed lawsuits against opioid manufacturers, distributors, and retailers, including many federal lawsuits by Tennessee counties and cities that are pending in the litigation captioned In re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio) (the MDL case is referred to as the “Opioid Litigation”);

WHEREAS, certain pharmaceutical distributors and a manufacturer have proposed settlements that \_\_\_\_\_ County find acceptable and in the best interest of the community;

WHEREAS, the Tennessee legislature enacted Public Chapter No. 491 during the 2021 Regular Session of the 112<sup>th</sup> Tennessee General Assembly and was signed into law by Governor Bill Lee on May 24, 2021, which addresses the allocation of funds from certain proposed opioid litigation settlements;

WHEREAS, the State of Tennessee, non-litigating counties, and representatives of various local governments involved in the Opioid Litigation have proposed a unified plan for the

allocation and use of certain prospective settlement and bankruptcy funds from opioid related litigation (“Settlement Funds”);

WHEREAS, the Tennessee State-Subdivision Opioid Abatement Agreement (the “Tennessee Plan”), attached hereto as “Exhibit A,” sets forth a framework of a unified plan for the proposed allocation and use of the Settlement Funds; and

WHEREAS, participation in the settlements and Tennessee Plan by a large majority of Tennessee cities and counties will materially increase the amount of settlement funds that Tennessee will receive from pending proposed opioid settlements;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF \_\_\_\_\_ COUNTY, TENNESSEE,

Section 1. That \_\_\_\_\_ County finds that participation in the Tennessee Plan is in the best interest of \_\_\_\_\_ County and its citizens because such a plan would ensure an effective structure for the commitment of Settlement Funds to abate and seek to resolve the opioid epidemic.

Section 2. That \_\_\_\_\_ County hereby expresses its support for a unified plan for the allocation and use of Settlement Funds as generally described in the Tennessee Plan.

Section 3. That the \_\_\_\_\_ County Mayor is hereby expressly authorized to execute the Tennessee Plan in substantially the form attached as Exhibit “A” and the County Mayor is hereby authorized to execute any formal agreements necessary to implement a unified plan for the allocation and use of Settlement Funds that is substantially consistent with the Tennessee Plan and this Resolution.

Section 4. That the \_\_\_\_\_ County Mayor is hereby expressly authorized to execute any formal agreement and related documents evidencing \_\_\_\_\_ County’s

agreement to the settlement of claims [and litigation] specifically related to AmerisourceBergen Corporation, Cardinal Health, Inc, McKesson Corporation, Janssen Pharmaceuticals, Inc, and Johnson & Johnson.

[Section 5. That the \_\_\_\_\_ County Mayor is authorized to take such other action as necessary and appropriate to effectuate \_\_\_\_\_ County's participation in the Tennessee Plan and these settlements.]

Section 6. This Resolution is effective upon adoption, the welfare of \_\_\_\_ County, Tennessee requiring it.

ADOPTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST: \_\_\_\_\_