

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 112th 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: _____