

**TOWNSHIP OF WARREN  
RESOLUTION NO. 2023-093**

THIS RESOLUTION AUTHORIZES THE TOWNSHIP ADMINISTRATOR TO SIGN “SUBDIVISION PARTICIPATION AND RELEASE FORMS” TO EFFECTUATE THE “ALLERGAN SETTLEMENT”, THE “TEVA SETTLEMENT”, THE “CVS SETTLEMENT”, THE “WALGREENS SETTLEMENT” AND THE “WALMART SETTLEMENT”, ACTING AS THE PHARMACEUTICAL SUPPLY CHAIN PARTICIPANTS IN CONNECTION WITH THE NATIONAL OPIOID SETTLEMENT ENTITLED “*IN RE NATIONAL PRESCRIPTION OPIATE LITIGATION CASE*” IN ORDER FOR WARREN TOWNSHIP TO RECEIVE ITS SHARE OF ALLOCATED FUNDS

**WHEREAS**, the ongoing opioid crisis in America has had a devastating effect on individuals and communities, including many here in the Township of Warren; and

**WHEREAS**, the Township of Warren is a party to a class action lawsuit filed by state, local, and tribal governments, hospitals, individuals, and insurers, seeking damages against opioid manufacturers, distributors, and retailers in *In re National Prescription Opiate Litigation*, Case No. 17-md-02804, MDL No. 2804, in the District Court for the Northern District of Ohio; and

**WHEREAS**, on August 20, 2021, Acting Attorney General Andrew J. Bruck announced that New Jersey intends to join nationwide settlement agreements with New Jersey based pharmaceutical company Johnson & Johnson and the United States’ three largest pharmaceutical distributors, McKesson, Cardinal Health and AmerisourceBergen, to resolve claims involving their roles in fomenting the country’s opioid crisis; and

**WHEREAS**, participation in the nationwide settlements will not only hold the companies financially accountable by requiring payments of as much as \$26 billion, the settlements will provide funding to support programs that address the opioid epidemic in New Jersey and across the country, and will require significant changes in the pharmaceutical industry aimed at preventing similar crises in the future; and

**WHEREAS**, the proposed settlements provide:

“the Distributors to pay up to \$21 billion over 18 years and Janssen to pay up to \$5 billion over no more than 9 years, for a total of \$26 billion (the “Settlement Amount”). Of the Settlement Amount, approximately \$22.7 billion is earmarked for use by participating states and subdivisions to remediate and abate the impacts of the opioid crisis. The Settlements also contain injunctive relief provisions governing the opioid marketing, sale and distribution practices at the heart of the states’ and subdivisions’ lawsuits and further require the Distributors to implement additional safeguards to prevent diversion of prescription opioids;” and

**WHEREAS**, participation by a significant number of states, county, and municipal governments nationwide must agree to the proposed terms in order for the settlements to take effect; and

**WHEREAS**, by Resolution No. 2022-056 adopted on January 27, 2022, the Township of Warren authorized the execution of any documents necessary in order to join the settlement agreements with Johnson & Johnson, McKesson, Cardinal Health and AmerisourceBergen to resolve claims involving their participation in the opioid crisis; and.

**WHEREAS**, the Township’s share in the settlement funds will ultimately depend on the number of counties and municipalities that opt-in, population of each participating county and

municipality, and effects of the opioid epidemic on each participating community; and

**WHEREAS**, it is in the best interests of the Township and its residents to participate and join in the settlement agreements in order to hold these companies financially accountable for the ongoing opioid crisis and to implement the necessary changes to prevent such a crisis from happening again in the near future; and

**WHEREAS**, five (5) new proposed opioid settlements have been reached with Alergan, Teva, CVS, Walgreens and Walmart (the “Pharmaceutical Supply Chain Participants”); and

**WHEREAS**, each of the aforesaid Pharmaceutical Supply Chain Participants require the Township Administrator to docu-sign settlement documents by April 18, 2022 in order to be eligible to receive settlement funds.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Warren that the Township Administrator is authorized to sign any documents necessary in order for the Township of Warren to be eligible to receive opioid settlement funds from the aforesaid five (5) Pharmaceutical Supply Chain Participants.

**BE IT FURTHER RESOLOVED** that the Administrator, upon adoption of this Resolution and the docu-signing of the respective five (5) Pharmaceutical Supply Chain Participants Subdivision Participation and Release Forms, shall be authorized to file same by no later than April 18, 2023 in the manner prescribed by the State of New Jersey, Office of Attorney General.

INTRODUCED	SECONDED	COMMITTEE	AYE	NAY	ABSTAIN	ABSENT
		CROSON	X			
X		LONTAI	X			
	X	SORDILLO	X			
		LAZO	X			
		DINARDO				X

CERTIFICATION

I, Cathy Reese, Township Clerk of the Township of Warren, in the County of Somerset, New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted at a meeting of the Township Committee held on March 16, 2023.

Cathy Reese, RMC  
Township Clerk