

**RESOLUTIONS OF THE OSWEGO COUNTY LEGISLATURE FOR
JANUARY 18, 2023**

- 08 RESOLUTION AUTHORIZING AND APPROVING A SETTLEMENT
AGREEMENT IN CONNECTION WITH THE MATTER OF COUNTY OF
OSWEGO VS. PURDUE PHARMA ET AL. (Teva – New York Global Settlement)

RESOLUTION NO. 008

**RESOLUTION AUTHORIZING AND APPROVING A SETTLEMENT
AGREEMENT IN CONNECTION WITH THE MATTER OF COUNTY OF
OSWEGO VS. PURDUE PHARMA ET AL.
(Teva – New York Global Settlement)**

By Legislator James Weatherup:

WHEREAS, the matter of County of Oswego v. Purdue Pharma L.P., et al., was commenced under Oswego County Index Number ECF 2018-0022 and was transferred to Supreme Court Suffolk County under Index No.: 400001/2017 in the Supreme Court, Suffolk County, regarding the opioid addiction crisis, in which the County of Oswego is a named plaintiff in the action (the “Action”) which includes any related/merged/consolidated actions such as County of Nassau, New York vs. Purdue Pharma, L.P. et al. (Index No.: 400008/2017) and The People of the State of New York vs. Purdue Pharma, L.P. et al. (Index No.: 400016/ 2018); and

WHEREAS, the Action was brought by the county against several defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies due to the public health crisis in Oswego County; and

WHEREAS, the County Legislature heretofore retained the firm of Simmons Hanly Conroy, a national law firm, to represent the county’s interests in the opioid litigation; and

WHEREAS, the Action alleges several causes of action against defendant Teva, owned by Teva Pharmaceutical Industries, Ltd., and other defendants and this settlement involves Teva’s Covered Conduct as that term is defined in the Settlement Agreement; and

WHEREAS, under the terms of the proposed settlement, assuming all incentives are met, the County of Oswego will receive the sum of \$866,512.21 over the next eighteen (18) years including \$90,091.21 in 2023 (allocated as \$53,200.26 in Restricted Funds earmarked for Abatement and \$36,891.05 in Unrestricted Funds); and

WHEREAS, it is in the best interest of the County of Oswego to resolve this matter with respect to Teva and to enter into the proposed annexed Agreements as it shall resolve all allegations against Teva and avoids further protracted litigation,

NOW, THEREFORE, upon recommendation of Simmons Hanly Conroy and the County Attorney, it is hereby

RESOLVED, that this body finds and determines that participating in the Teva Global Settlement in the above-referenced litigation is in the best interests of the County of Oswego and its residents; and, it is further

RESOLVED that execution and delivery on behalf of, and, in the name of, the County of Oswego, by the County Attorney of the following three (3) documents:

- New York Subdivision Settlement Participation Form (Exhibit B); and
- Teva New York Global Payment Opioid Settlement Agreement (Exhibit C) which constitutes a “Statewide Opioids Settlement Agreement” as defined in New York State Mental Hygiene Law §25.18(a)(8); and
- Teva New York Premium Payment Opioid Settlement Sharing Agreement (Exhibit L)

annexed hereto be, and is hereby, authorized and directed; and, it is further

RESOLVED, that the County Attorney and/or the Chair of the Legislature, or his designee, be and are hereby authorized, subject to County Attorney approval, and directed to execute such other and further forms, releases or documents as may be necessary and appropriate to effectuate the global settlement with Teva and to receive funds in connection with same.

**ADOPTED BY VOICE VOTE ON JANUARY 18, 2023:
YES: 18 NO: 0 ABSENT: 7 ABSTAIN: 0**