



COUNTY ATTORNEY'S OFFICE
JEFFREY J. NEWTON, County Attorney

201 South Rosalind Avenue ■ 3rd Floor
Reply To: Post Office Box 1393
Orlando, FL 32802-1393
407-836-7320 ■ Fax 407-836-5888
www.ocfl.net

MEMORANDUM

TO: Mayor Jerry L. Demings
-And-
County Commissioners

FROM: Jeffrey J. Newton, County Attorney *JJN*
Elaine M. Asad, Senior Assistant County Attorney *ELM*
Contact: (407) 836-7320

DATE: July 6, 2021

SUBJECT: Consent Agenda Item for July 13, 2021
Resolution supporting the Purdue Pharma Bankruptcy Plan in settlement of the opioid claims.

This item requests approval by the Board of a Resolution supporting the Purdue Pharma Bankruptcy Plan in resolution of the claims concerning the opioid crisis and authorization for the County Administrator to execute any formal agreements required by the Bankruptcy Court implementing the settlement.

In August 2019, Orange County filed suit in federal court against the manufacturers, distributors, and sellers of opioids and is part of the Federal Multidistrict National Prescription Opiate Litigation based in the Northern District of Ohio. In September 2019, Purdue Pharma filed for bankruptcy protection after being named a defendant in thousands of lawsuits, including the one filed by Orange County. Orange County filed its proof of claim and is now a participant in the proposed Purdue Bankruptcy Plan, which provides that the assets of Purdue, operating and sales revenues, certain insurance proceeds and contribution of \$4.275 billion over several years from the Sackler Family (the shareholders of Purdue) will be paid for use in abating the opioid crisis and distributed in accord with the Memorandum of Understanding (the "Florida Plan"). It is anticipated that approximately \$302,043,441 of the public entity funds will be apportioned to the State of Florida; but at this time, exactly how much Orange County will receive is unknown.

The County's outside counsel, Romano Law Group, et al., have indicated they believe the Plan represents a fair and equitable resolution of the opioid-related claims

Deputy County Attorney

Joel D. Prinsell

Senior Assistant County Attorneys

Elaine M. Asad

Lila McHenry

Assistant County Attorneys

Roberta Alfonso

Cristina T. Berrios

Linda Brehmer-Lanosa

Joy Carmichael

Whitney E. Evers

Georgiana Holmes

Aleas Koos

Katherine W. Latorre

Scott McHenry

Sawsan Mohiuddin

Dylan Schott

Scott Shevenell

Stephanie Stone

Adolphus Thompson

Legal Administrative Supervisor

Anna M. Caban

Senior Paralegal

Melessia Lofgren

Paralegals

Maria Vargas, ACP

Gail Stanford

Mayor Demings
-And-
County Commissioners
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against Purdue, was negotiated in good faith, and provides funds exclusively dedicated to programs designed to abate the opioid crisis within the community.

ACTION REQUESTED: Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Purdue Pharma Bankruptcy Plan authorizing Orange County (herein referred to as this "governmental unit") to join with the State of Florida and other local governmental units in supporting the Purdue Pharma Bankruptcy Plan and authorization for the County Administrator to execute the required documentation from the Bankruptcy Court in settlement of the bankruptcy claims.

c: Byron W. Brooks, County Administrator