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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: May 13, 2022

SUBJECT: Consent Agenda Item for May 24, 2022
Resolution authorizing the County to join with the State and other local governmental units to participate in the State of Florida settlement with Walgreens Boots Alliance, Inc. and Walgreen Co. concerning the opioid litigation.

This item requests approval by the Board of a Resolution which authorizes the County to join in the Florida settlement with Walgreens Boots Alliance, Inc. and Walgreen Co. (collectively "Walgreens") and permits the Orange County Administrator, to execute the formal agreements implementing the settlement.

In August 2019, Orange County filed suit in federal court against the manufacturers, distributors, and sellers of opioids, including Walgreens and is part of the Federal Multidistrict National Prescription Opiate Litigation based in the Northern District of Ohio. The State of Florida through the Florida Attorney General's Office also filed suit against the same defendants, including Walgreens, which has resulted in a settlement agreement. In order to participate in the settlement, the Board must authorize the County to participate and permit the County Administrator to sign the necessary documents effectuating that settlement.

Mayor Jerry L. Demings
-AND-
County Commissioners
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The Florida Attorney General's Office has advised the state's overall settlement with Walgreens is approximately \$683 million to be paid over 18 years. These settlement funds will be allocated between the States and local subdivisions pursuant to the existing statewide allocation agreement (aka the MOU), using the same allocation model applied to prior settlements.

The settlement with Walgreens will result in \$683 million to the state, of which \$620 million is going to the state and litigating subdivisions for opioid remediation and \$63 million is going to compensate the attorneys representing the state and local governments and litigating costs. Through the Regional Fund, Orange County will receive \$10.2 million as a qualified county to be used in accordance with the terms of the Interlocal Agreement. Orange County will also receive, through the City/County fund, \$2.9 million to be used in accordance with the approved uses as set forth in the Memorandum of Understanding.

The County's outside counsel, Romano Law Firm, et al., has recommended the County join with the State and other local governmental units and participate in the Walgreens settlement as it represents a fair and equitable resolution of opioid-related claims against the settling defendants and the funds will be exclusively dedicated to programs designed to abate the opioid crisis (other than to fund administration of the programs themselves and to pay fees and costs).

ACTION REQUESTED: Approval and execution of Resolution of the Orange County Board of County Commissioners Regarding Settlement with Walgreens Boots Alliance, Inc. and Walgreen Co. And authorizing Orange County (herein referred to as this "Governmental Unit") to join with the State of Florida and other Local Governmental Units in the State-Wide Settlement with Walgreens Boots Alliance, Inc. and Walgreen Co. and delegation of authority to Orange County Administrator to execute the required documentation to enter into the settlement with Walgreens Boots Alliance, Inc. and Walgreen Co.

c: Byron W. Brooks, AICP, Orange County Administrator