



County of Santa Barbara

BOARD OF SUPERVISORS

Minute Order

April 4, 2023

Present: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

COUNTY COUNSEL

File Reference No. 23-00318

RE: Consider recommendations regarding a Resolution authorizing County Counsel to partially settle the litigation County of Santa Barbara v. Purdue Pharma, et al. (Case No. 1:17-MD-2804), as follows:

a) Adopt a Resolution that approves and authorizes County Counsel or her designee to execute the following agreements to partially settle the litigation County of Santa Barbara and the People of the State of California v. Purdue Pharma, et al. (Case No. 1:17-MD-2804):

i) Subdivision Participation and Release Forms which include a release of all claims against the following Defendants and their “Released Entities” for their conduct complained of in the litigation:

1) CVS Health Corporation and CVS Pharmacy, Inc.;

2) Walgreens Co.;

3) Walmart Inc.;

4) Allergan Finance LLC (f/k/a Actavis, Inc., f/k/a Watson Pharmaceuticals, Inc.) and Allergan Limited (f/k/a Allergan plc, f/k/a Actavis plc); and

5) Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., the Actavis Generic Entities, and Anda Inc.;

ii) Proposed California State-Subdivision Agreement Regarding Distribution and Use of Settlement Funds, which shall enable the County of Santa Barbara to receive and direct the use of a portion of settlement funds distributed to the State of California for approved opioid abatement activities; and

iii) California-Subdivision Backstop Agreements, in a form substantially similar to those included as Appendix 3 to the California State-Subdivision Agreements Regarding Distribution and Use of Settlement Funds, which will allow the County to pay the contingency fees of Outside Counsel Keller Rohrback from the recovered settlement funds in an amount not to exceed 15% of the County’s recovery plus costs; and



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b) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5) because they consist of government administrative or fiscal activities that will not result in direct or indirect physical changes in the environment.

A motion was made by Supervisor Hartmann, seconded by Supervisor Lavagnino, that this matter be acted on as follows:

a) i) 1) through 5) ii) and iii) Adopted; and

RESOLUTION NO. 23-69

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino