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Legislation Details (With Text)

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File created: 3/24/2023 **In control:** BOARD OF SUPERVISORS

On agenda: 4/4/2023 **Final action:** 4/4/2023

Title: 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 Rohrbach from the recovered settlement funds in an amount not to exceed 15% of the County's recovery plus costs; and

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.

Sponsors: COUNTY COUNSEL

Indexes:

Code sections:

Attachments: 1. Board Letter, 2. Attachment A - Resolution - Executed, 3. Attachment B -Subdivision and Special District Settlement Participation Form with Allergan, 4. Attachment C - Subdivision and Special District Settlement Participation Form with Teva, 5. Attachment D - Subdivision and Special District Settlement Participation Form with CVS, 6. Attachment E - Subdivision and Special District Settlement Participation Form with Walgreens, 7. Attachment F - Subdivision and Special District Settlement Participation Form with Walmart, 8. Attachment G - CA State-Subdivision Agreement Re Distribution &

Use of Settlement Funds - Allergan, 9. Attachment H - CA State-Subdivision Agreement Re Distribution & Use of Settlement Funds - Teva, 10. Attachment I - CA State-Subdivision Agreement Re Distribution & Use of Settlement Funds - CVS, 11. Attachment J - CA State-Subdivision Agreement Re Distribution & Use of Settlement Funds - Walgreens, 12. Attachment K - CA State-Subdivision Agreement Re Distribution & Use of Settlement Funds - Walmart, 13. Attachment L - Appendix 1 to State-Subdivision Agreement, 14. Attachment M - Appendix 2 to State-Subdivision Agreement, 15. Attachment N - Appendix 3 to State-Subdivision Agreement, 16. Adopted Resolution, 17. Minute Order

Date	Ver.	Action By	Action	Result
4/4/2023	1	BOARD OF SUPERVISORS	Acted on as follows:	Pass

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