

RESOLUTION

WHEREAS, the opioid epidemic continues to impact communities in the United States, the State of Tennessee, and the City of Crossville; and

WHEREAS, the City of Crossville has suffered harm and will continue to suffer harm as a result of the opioid epidemic; and

WHEREAS, the State of Tennessee and some Tennessee local governments have filed lawsuits against opioid manufacturers, distributors, and retailers, including many federal lawsuits by Tennessee counties and cities that are pending in the litigation captioned In Re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio) (the MDL case is referred to as the “Opioid Litigation”); and

WHEREAS, certain pharmaceutical distributors and a manufacturer have proposed settlements that the City of Crossville finds acceptable and in the best interest of the community; and

WHEREAS, the Tennessee legislature enacted Public Chapter No. 491 during the 2021 Regular Session of the 112th Tennessee General Assembly that was signed into law by Governor Bill Lee on May 24, 2021, which addresses the allocation of funds from certain proposed litigation settlements; and

WHEREAS, the State of Tennessee, non-litigating counties, and representatives of various local governments involved in the Opioid Litigation have proposed a unified plan for the allocation and use of certain prospective settlement and bankruptcy funds from opioid-related litigation (“Settlement Funds”); and

WHEREAS, the Tennessee State-Subdivision Opioid Abatement Agreement (the “Tennessee Plan”), attached hereto as “Exhibit A,” sets forth a framework of a unified plan for the proposed allocation and use of the Settlement Funds; and

WHEREAS, participation in the settlements and Tennessee Plan by a large majority of Tennessee cities and counties will materially increase the amount of settlement funds that Tennessee will receive from pending proposed opioid settlements;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CROSSVILLE, TENNESSEE,

Section 1. That the City of Crossville finds participation in the Tennessee Plan is in the best interest of the City of Crossville and its citizens because such a plan would ensure an effective structure for the commitment of Settlement Funds to abate and seek to resolve the opioid epidemic.

Section 2. That the City of Crossville hereby expresses its support for a unified plan for the allocation and use of Settlement Funds as generally described in the Tennessee Plan.

Section 3. That the Crossville Mayor is hereby expressly authorized to execute the Tennessee Plan in substantially the form attached as Exhibit A and the Crossville Mayor is hereby authorized to execute any formal agreements necessary to implement a unified plan for the allocation and use of Settlement Funds that is substantially consistent with the Tennessee Plan and this Resolution.

Section 4. That the Crossville Mayor is hereby expressly authorized to execute any formal agreement and related documents evidencing the City of Crossville's agreement to the settlement of claims [and litigation] specifically related to AmerisourceBergen Corporation, Cardinal Health, Inc. McKesson Corporation, Janssen Pharmaceuticals, Inc., and Johnson & Johnson.

Section 5. That the Crossville Mayor is authorized to take such other action as necessary and appropriate to effectuate the City of Crossville's participation in the Tennessee Plan and these settlements.

Section 6. This Resolution is effective upon adoption, the welfare of the City of Crossville requiring it.

ADOPTED, this _____ day of December, 2021.

Mayor

Council member

Council member

Council member

Council member

ATTEST:

City Clerk

Approved:

City Attorney