

**RESOLUTION 27-23  
THE TOWN OF FOREST HEIGHTS**

**A RESOLUTION OF THE MAYOR AND COUNCIL AUTHORIZING THE ACTING  
TOWN ADMINISTRATOR TO APPLY TO "OPT IN" TO CERTAIN NATIONAL  
SETTLEMENT AGREEMENTS REGARDING PENDING OPIOID LITIGATION**

Introduced By: Mayor Calvin Washington

**WHEREAS**, pursuant to Resolution 53-19, the Town Council along with several other Maryland municipalities previously retained on contingency the law firms of Shapiro Sher Guinot & Sandler, P.A., and Theodora Oringer P.C., and Andrews & Thornton, in civil suit against those legally responsible for the wrongful manufacture and distribution of prescription opiates and damages caused; and

**WHEREAS**, national litigation regarding the impact of the distribution and use of Opioids has resulted in a prior settlement agreement with Jassen and the Distributors (Johnson & Johnson, Amerisource Bergen, Cardinal Health and McKesson ("National Settlements")), and special counsel recommended that the Town accept the offer to settle with Forest Heights, and participate with other Maryland jurisdictions in the State Subdivision Agreement negotiated by the Office of the Attorney General of Maryland; and

**WHEREAS**, as explained in a Settlement Overview, attached hereto as Exhibit A, additional national opioid settlements have been reached with Teva, Allergan, CVS, Walgreens, and Walmart, and a website at <https://nationalopioidsettlement.com/> provides copies of these agreements and earlier national opioid settlements with Janssen and distributors Cardinal, McKesson, and AmerisourceBergen, as well as additional documents and information concerning these proposed settlements, and the agreements themselves control the terms of the settlements, and entities eligible to participate in the settlements should consider participation; and

**WHEREAS**, according to the FAQ's at <https://nationalopioidsettlement.com/faq-explanatory-charts/faq/> at least 70% of the funds are to be used to fund future opioid-remediation efforts, and the agreement includes a broad and non-exhaustive list of qualifying opioid remediation expenditures, and the subdivisions in each settling State will have 120 days to decide whether to participate in the settlements; and

**WHEREAS**, Maryland has or is participating in 6 of the 7 pending settlements with various defendants (Distributors, J&J, Walgreens, Walmart, Allergan, Tevabut, but not CVS); and

**WHEREAS**, under the Jansen and Distributors settlements last year Forest Heights was slated to receive the following: Prince George's, Forest Heights Town, Maryland, \$13,520.91 (subdivision fund), \$24,337.64 (abatement fund), and \$37,858.55 (total max.); and

**WHEREAS**, the Settlements require that a Town take affirmative steps to “opt in” to the Settlements and in the next few weeks, the Town will receive documentation and instructions from the Implementation Administrator or, in some cases, the State’s Attorney General’s Office, and in order to participate in a settlement, a subdivision must sign and return the required Participation Form for that settlement, and all required documentation must be signed and returned on or before April 18, 2023; and

**WHEREAS**, the Council has determined that entry into the National Settlements and State-Subdivision Agreement as extended to the various defendants referenced above is in the best interests of the Town and its residents.

**NOW THEREFORE BE IT RESOLVED**, that the Town Council hereby approves and authorizes the Acting Town Administrator to “opt in” to the Settlements described hereinabove and submit the necessary documentation to participate in any settlement with the aforementioned defendants; and

**BE IT FURTHER RESOLVED**, that the Acting Town Administrator in consultation with the Mayor is authorized to make a final decision in carrying forth with applying for and making claims from each of the settlements based on whether the administrative costs and time necessary to be devoted to administer the agreements and/or grants will be cost effective for the Town to take on and pursue.

**AND BE IT FURTHER RESOLVED**, that the Mayor is further authorized to sign this Resolution on behalf of the Council and any related documentation including any necessary documentation or acknowledgements for applying for said funding provided that any further written settlement agreements if tendered to the Town or required for its approval, if any, shall be brought before the Council for final approval.

**AND BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon passage.

**PASSED** this 6 day of February 2023.

**APPROVED:** By Resolution of the Town Council of The Town of Forest Heights, Maryland.

<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
WASHINGTON	<u>Yea</u>
KENNEDY	<u>Yea</u>
NOBLE	<u>Yea</u>
BARNES	<u>Absent</u>
HINES	<u>Yea</u>

LILLY  
ATKINSON

Yes  
Abst

ATTEST:

THE TOWN OF FOREST HEIGHTS,  
MARYLAND

Sherletta Hawkins

Sherletta Hawkins, Town Clerk

By:

Calvin Washington

Calvin Washington, Mayor

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 6 day of February 2023 with 5 Aye votes and 0 Nay votes the aforesaid Resolution 27-23 passed.

Sherletta Hawkins

Sherletta Hawkins, Town Clerk

*[Exhibit A - SETTLEMENT OVERVIEW]*