

RESOLUTION NO. 147-B-2021

A RESOLUTION AUTHORIZING THE ACTING COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIMS OF THE COUNTY OF NASSAU AGAINST MCKESSON CORPORATION, CARDINAL HEALTH, INC., AND AMERISOURCEBERGEN CORPORATION (COLLECTIVELY “THE BIG 3”) PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY, AND THE NASSAU COUNTY ADMINISTRATIVE CODE.

WHEREAS, the County of Nassau filed an action captioned *County of Nassau v. Purdue Pharma L.P., et al.*, Index No. 605477/2017 (Sup. Ct. Nassau Cty.) against various opioid manufacturers and distributors, including, but not limited to McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation (collectively, “the Big 3”), in an effort to hold them responsible for their role in creating the opioid epidemic; and

WHEREAS, the action subsequently was transferred to Suffolk County and coordinated with other actions commenced by governmental entities in the coordinated New York opioid litigation captioned *In Re Opioid Litigation*, Index No. 400000/2017 (Sup. Ct., Suffolk Cty.); and

WHEREAS, Nassau County has determined that a settlement agreement with the Big 3 whereby the Big 3 have agreed to make specified payments in an amount that will range from \$52,036,650.49 to \$66,808,823.73 without deduction for attorney’s fees and expenses and an additional payment of \$20,000,000 which is subject to deduction of costs and expenses, common benefit assessment and attorney’s fees (25%), to Nassau County in full settlement of all claims that Nassau County has brought or could have brought against the Big 3 in the aforementioned actions; and

WHEREAS, the Acting Nassau County Attorney has caused an investigation and analysis to be made of the claims and as a result thereof recommends that the claims be settled in accordance with the terms of the aforementioned settlement agreement; now therefore, be it

RESOLVED, that the Acting Nassau County Attorney be and is hereby authorized and directed to settle the claims in accordance with the settlement agreement as indicated above; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 *et seq.* and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau

County, that this settlement is a “Type II” Action within the meaning of Section 617.5(c)(26) of 6 N.Y.C.R.R. and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

