

By Legislators Smith and Delehanty

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2023

**AUTHORIZING ENTERING INTO SETTLEMENT AGREEMENT IN NEW YORK  
COORDINATED OPIOID LITIGATION (SUPREME COURT, SUFFOLK COUNTY INDEX NO.  
400000/2017)**

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The settlement and release of the County's claims in *In re Opioid Litigation* (Supreme Court, Suffolk County Index No. 400000/2017) against Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Anda, Inc., and other affiliated entities as defined in the Teva/New York Statewide Opioid Settlement Agreement is hereby authorized.

Section 2. The County Executive, or his designee, is hereby authorized to execute and deliver any and all documents necessary to effectuate such settlement.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Ways and Means Committee; January 24, 2023 - CV: 10-0  
File No. 23-0023

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_



# Office of the County Executive

Monroe County, New York

**Adam J. Bello**  
County Executive

January 18, 2023

<b>OFFICIAL FILE COPY</b>	
No.	<u>230023</u>
Not to be removed from the Office of the Legislature of Monroe County	
Committee Assignment	
<b>WAYS &amp; MEANS</b>	<b>-L</b>

To The Honorable  
Monroe County Legislature  
407 County Office Building  
Rochester, New York 14614

**Subject:** Authorization to Enter into a Settlement Agreement in the New York Coordinated Opioid Litigation (Supreme Court, Suffolk County Index No. 400000/2017)

Honorable Legislators:

I recommend that Your Honorable Body authorize a settlement agreement to recover funds from an opioid manufacturer in connection with the New York Coordinated Opioid Litigation, *In re Opioid Litigation* (Supreme Court, Suffolk County Index No. 400000/2017). Through this settlement, Monroe County will receive additional funds to address the opioid crisis in our community.

Your Honorable Body has previously authorized settlements with opioid manufacturers and distributors in the New York Coordinated Opioid Litigation. This latest settlement holds Teva Pharmaceuticals and its affiliates responsible for their role in fueling the opioid crisis. The New York Attorney general and private counsel representing municipalities have negotiated a settlement whereby Teva will pay \$550 million to New York State and municipalities across the State, paid over an eighteen-year period.

Under the terms of the settlement, Monroe County will receive up to \$5,274,984.19 over eighteen years. As with the prior opioid settlements, the total amount the defendants are obligated to pay to New York State and New York municipalities is dependent on the level of participation by municipalities in the settlement agreement. Monroe County, and other municipalities across the State, will receive the maximum settlement value if eligible municipalities across the State all adopt the proposed settlement. Like prior settlements, the Teva settlement payments to Monroe County would technically consist of both funds restricted to use in combating the opioid epidemic and unrestricted funds, but Monroe County will place all settlement proceeds in a trust fund dedicated to responding to the opioid epidemic and the ongoing harm it is causing our community.

Both Monroe County's outside counsel for the opioid litigation, Simmons Hanly Conroy, and the New York Attorney General on behalf of the State of New York have approved this settlement.

**The specific legislative actions required are:**

1. Authorize the settlement and release of the County's claims in *In re Opioid Litigation* (Supreme Court, Suffolk County Index No. 400000/2017) against Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Ando, Inc., and other affiliated entities as defined in the Teva/New York Statewide Opioid Settlement Agreement.
2. Authorize the County Executive, or his designee, to execute and deliver any and all documents necessary to effectuate such settlement.

The legislative action requested in this referral is not an "Action," as that term is defined in 6 NYCRR § 617.2(b), and is not subject to review under the State Environmental Quality Review Act.

These contracts are revenue generating and no net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body. I request that this referral be considered in Executive Session, pursuant to Public Officer's Law § 105(1)(d).

Sincerely,  
  
Adam J. Bello  
Monroe County Executive