

# Issue Analysis Form



**Date:** February 28, 2023  
Resolution – Participation in  
Proposed Settlement of  
Opioid-Related Claims  
against Teva, Allergan,  
Walmart, Walgreens and  
CVS

**Item:**

**Lead Department(s):** County Attorney

**Contact Person(s):** Dan Whitten

## Description and Current Status

Prince George County, through outside counsel, has filed suit against Teva, Allergan, Walmart, Walgreens, CVS and certain of their related corporate entities for their role in the distribution, manufacture, and sale of pharmaceutical opioid products that have fueled the opioid epidemic.

Settlement proposals have been negotiated that will cause Teva, Allergan, Walmart, Walgreens, CVS to pay billions of dollars nationwide to resolve opioid-related claims against them.

Prince George County has approved and adopted the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding (the "Virginia MOU"), and affirms that these pending settlements with Teva, Allergan, Walmart, Walgreens, and CVS shall be considered "settlements" that are subject to the Virginia MOU, and shall be administered and allocated in the same manner as the opioid settlements entered into previously with the Distributors and Janssen.

Outside counsel has recommended that Prince George County participate in the settlements in order to recover its share of the funds that the settlement would provide.

Staff recommends that the Board approve through the attached Resolution the participation in the proposed settlement of opioid-related claims against Teva, Allergan, Walmart, Walgreens, CVS, and their related corporate entities.

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Sample Motion: I move that the Board adopt a Resolution confirming Prince George County's participation in the proposed settlement of opioid-related claims against Teva, Allergan, Walmart, Walgreens, CVS, and their related corporate entities.

**Government Path**

- Does this require IDA action?  Yes  No
- Does this require BZA action?  Yes  No
- Does This require Planning Commission Action?  Yes  No
- Does this require Board of Supervisors action?  Yes  No
- Does this require a public hearing?  Yes  No
- If so, before what date?  Yes  No

**Fiscal Impact Statement**

**County Impact**

**Notes**

Board of Supervisors  
County of Prince George, Virginia

Resolution

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia, this 28<sup>th</sup> day of February, 2023:

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Present:

Donald Hunter, Chairman  
T. J. Webb, Vice-Chairman  
Floyd M. Brown, Jr.  
Alan R. Carmichael  
Marlene J. Waymack

Vote:

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A-7

On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, which carried unanimously, the following Resolution was adopted:

**RESOLUTION APPROVING PARTICIPATION IN THE PROPOSED  
SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST TEVA,  
ALLERGAN, WALMART, WALGREENS, CVS, AND THEIR  
RELATED CORPORATE ENTITIES**

**WHEREAS**, the opioid epidemic that has cost thousands of human lives across the country also impacts Prince George County by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by Prince George County's various departments and agencies; and

**WHEREAS**, Prince George County has been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of Prince George County; and

**WHEREAS**, Prince George County has filed suit against Teva, Allergan, Walmart, Walgreens, CVS, and certain of their related corporate entities for their role in the distribution, manufacture, and sale of the pharmaceutical opioid products that have fueled the opioid epidemic that has harmed Prince George County; and

**WHEREAS**, The County's suit seeks recovery of the public funds previously expended and to be expended in the future to abate the consequences and harms of the opioid epidemic; and

**WHEREAS**, settlement proposals have been negotiated that will cause Teva, Allergan, Walmart, Walgreens, and CVS to pay billions of dollars nationwide to resolve opioid-related claims against them; and

**WHEREAS**, the County has approved and adopted the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding (the “Virginia MOU”), and affirms that these pending settlements with Teva, Allergan, Walmart, Walgreens, and CVS shall be considered “Settlements” that are subject to the Virginia MOU, and shall be administered and allocated in the same manner as the opioid settlements entered into previously with the Distributors and Janssen; and

**WHEREAS**, Prince George County’s outside opioid litigation counsel has recommended that the County participate in the settlements in order to recover its share of the funds that the settlement would provide; and

**WHEREAS**, the County Attorney has reviewed the available information about the proposed settlements and concurs with the recommendation of outside counsel;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince George County Board of Supervisors approves of the County’s participation in the proposed settlement of opioid-related claims against Teva, Allergan, Walmart, Walgreens, CVS, and their related corporate entities, and directs the County’s outside counsel to execute the documents necessary to effectuate the County’s participation in the settlements, including the required release of claims against settling entities.

A Copy Teste:

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Jeffrey D. Stoke  
County Administrator