

**RESOLUTION 2022-069**

**RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP OF LITTLE EGG HARBOR TO PARTICIPATE IN THE NATIONWIDE SETTLEMENT AGREEMENTS WITH JOHNSON & JOHNSON, MCKESSON, CARDINAL HEALTH, AND AMERISOURCEBERGEN TO RESOLVE CLAIMS INVOLVING THEIR ROLES IN THE COUNTRY'S OPIOID CRISIS**

**WHEREAS**, the ongoing opioid crisis in America has had a devastating effect on individuals and communities, including those in the Township; and

**WHEREAS**, the Township is part of a class action lawsuit filed by state, local, and tribal governments, hospitals, individuals, and insurers, seeking damages against opioid manufacturers, distributors, and retailers in In re National Prescription Opiate Litigation, Case No. 17-md-02804, MDL No. 2804, in the District Court for the Northern District of Ohio; and

**WHEREAS**, on August 20, 2021, Acting Attorney General Andrew J. Bruck announced that New Jersey intends to join nationwide settlement agreements with New Jersey based pharmaceutical company Johnson & Johnson and the United States' three largest pharmaceutical distributors, McKesson, Cardinal Health and AmerisourceBergen, to resolve claims involving their roles in fomenting the country's opioid crisis; and

**WHEREAS**, participation in the nationwide settlements will not only hold the companies financially accountable by requiring payments of as much as \$26 billion, the settlements will provide funding to support programs that address the opioid epidemic in



Rothstein, Mandell, Strohm,  
Halm & Cipriani, P.A.  
ATTORNEYS AT LAW

98 East Water Street  
Toms River, NJ 08753

o: 732.363.0777  
f: 732.905.6555

New Jersey and across the country, and will require significant changes in the pharmaceutical industry aimed at preventing similar crises in the future; and

**WHEREAS**, the proposed settlements provide:

“the Distributors to pay up to \$21 billion over 18 years and Janssen to pay up to \$5 billion over no more than 9 years, for a total of \$26 billion (the “Settlement Amount”). Of the Settlement Amount, approximately \$22.7 billion is earmarked for use by participating states and subdivisions to remediate and abate the impacts of the opioid crisis. The Settlements also contain injunctive relief provisions governing the opioid marketing, sale and distribution practices at the heart of the states’ and subdivisions’ lawsuits and further require the Distributors to implement additional safeguards to prevent diversion of prescription opioids;” and

**WHEREAS**, participation by a significant number of states, county, and municipal governments nationwide must agree to the proposed terms in order for the settlements to take effect; and

**WHEREAS**, provided enough states opt to participate in the settlements, their subdivisions will have through January 26, 2022 to join, as the time was extended from the original January 2, 2022 deadline; and

**WHEREAS**, the Township’s share in the settlement funds will ultimately depend on the number of counties and municipalities that opt-in, population of each participating county and municipality, and effects of the opioid epidemic on each participating community; and

**WHEREAS**, it is in the best interests of the Township and its residents to participate and join in the settlement agreements in order to hold these companies financially accountable for the ongoing opioid crisis and to implement the necessary changes to prevent such a crisis from happening again in the near future.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey as follows:

**r|m|s|h|c**

Rothstein, Mandell, Strohm,  
Halm & Cipriani, P.A.  
ATTORNEYS AT LAW

98 East Water Street  
Toms River, NJ 08753

o: 732.363.0777  
f: 732.905.6555

1. That the Township Administrator is authorized to sign any and all documents necessary in order to join the settlement agreements with Johnson & Johnson, McKesson, Cardinal Health and AmerisourceBergen to resolve claims involving their participation in the opioid crisis.
2. That upon effectuation of the settlement agreement, the Township will agree to dismiss its claims against the settling parties as part of the judicial process.
3. That the Township Clerk shall forward a certified copy of this Resolution to the Office of the Attorney General of New Jersey.

**CERTIFICATION**

I, **KELLY LETTERA, RMC**, Township Clerk of the Township of Little Egg Harbor, do hereby certify that the foregoing resolution was duly adopted by the Township Committee at a meeting held on the 13<sup>th</sup> day of **January, 2022**



---

**KELLY LETTERA, RMC**  
Township Clerk  
Township of Little Egg Harbor

**r|m|s|h|c**

Rothstein, Mandell, Strohm,  
Halm & Cipriani, P.A.  
ATTORNEYS AT LAW

98 East Water Street  
Toms River, NJ 08753

o: 732.363.0777  
f: 732.905.6555