

TITLE

AN ORDINANCE FOR THE PURPOSE OF AUTHORIZING THE CITY DIRECTOR OF LAW, ON BEHALF OF THE CITY OF WARREN, OHIO, TO EXECUTE THE OPIOID LITIGATION SETTLEMENT AGREEMENTS BETWEEN THE OHIO SETTLING LOCAL GOVERNMENTS AND TEVA, ALLERGAN, CVS, WALGREENS, AND WALMART, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 13210/2023

WHEREAS, the City of Warren, Ohio, is a municipality formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance, and malfeasance committed by certain entities within the Opioid Pharmaceutical Distributors; and

WHEREAS, these Local Governments in the State of Ohio share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance, and malfeasance throughout the State of Ohio; and

WHEREAS, numerous Local Governments consolidated litigation in the United States District Court for the Northern District of Ohio the State of Ohio, to engage in litigation seeking to hold Teva, Allergan, CVS, Walgreens, and Walmart accountable for the damage caused by their misfeasance, nonfeasance, and malfeasance; and

WHEREAS, Teva, Allergan, CVS, Walgreens, and Walmart have denied and continue to deny any liability for the claims asserted in this consolidated litigation, and without any admission of wrongdoing, fault, culpability, or liability of any kind, and without any concession as to the strength or weakness of any actual or potential claims or defenses, desires to (a) avoid the delay, uncertainty, inconvenience, and expense of protracted litigation of Actions, and (b) finally resolve, settle, and release all claims that have been, or could in the future, be asserted against Teva, Allergan, CVS, Walgreens, and Walmart; and

WHEREAS, settlement proposals are being offered to the Local Governments by Teva, Allergan, CVS, Walgreens, and Walmart to resolve claims; and

WHEREAS, the Local Governments have determined that the Settlement Agreements are in the public interest; and

WHEREAS, Warren City Council wishes to agree to the material terms of the proposed Settlement Agreements with Teva, Allergan, CVS, Walgreens, and Walmart; NOW THEREFORE

BE IT ORDAINED by the Council of the City of Warren, State of Ohio:



Section 1: That the Director of Law be, and hereby is, authorized to accept the Proposed Settlement on behalf of the City of Warren, Ohio, according to the terms of the Ohio Settling Local Governments and Teva, Allergan, CVS, Walgreens, and Walmart.

Section 2: That it is found and determined that all formal actions of Council relating to the authorization of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 3: That if any section, sentence, clause, phrase, or portion of this Ordinance is held to be invalid by a court of competent jurisdiction, the remainder of the Ordinance shall continue in full force and effect to the extent the remainder can be given effect without the invalid portion.

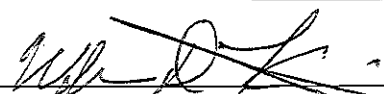
Section 4: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare, and safety of the City of Warren, Ohio. The reason for the emergency is to ensure the prompt pursuit of funds to assist in abating the opioid epidemic throughout the State of Ohio. WHEREFORE, this Ordinance shall take effect and be in force from and after the date of its passage.

Passed in Council this 22nd day of FEBRUARY, 2023.

SIGNED:  ATTEST:   
PRESIDENT OF COUNCIL CLERK

FILED WITH THE MAYOR: 2-22-2023

DATE APPROVED: 2-22-2023

  
MAYOR, CITY OF WARREN, OHIO