

**RESOLUTION NUMBER: 2023- 4**

**A RESOLUTION OF KIOWA COUNTY, KANSAS TO ELECT TO PARTICIPATE IN THE TEVA, ALLERGAN, CVS, WALGREENS, & WALMART SETTLEMENTS AND AUTHORIZING AN OFFICIAL TO EXECUTE DOCUMENTS REGARDING THE OPIOID SETTLEMENTS**

**WHEREAS**, Multi-state Settlement Agreements have been reached with Teva, Allergan, CVS, Walgreens, & Walmart to resolve the opioid litigation brought by states and local political subdivisions; and

**WHEREAS**, the people of the State of Kansas and its communities have been harmed by the Opioid Epidemic due to the misfeasance, nonfeasance, and malfeasance committed by certain entities within the Pharmaceutical Supply Chain; and

**WHEREAS**, the State of Kansas, through its Attorney General, and certain Political Subdivisions, through their elected representatives and counsel, that separately have claims or potential claims seek to hold Pharmaceutical Supply Chain Participants accountable for the damages caused by their misfeasance, nonfeasance, and malfeasance; and

**WHEREAS**, Kiowa County, Kansas, its residents and resources have been impacted by the Opioid Epidemic; and

**WHEREAS**, 2021 House Bill 2079 contemplates the distribution of settlement funds received from the opioid litigation to non-litigating municipalities and litigating municipalities who have entered into an agreement to waive their claims according to a formula negotiated between the Attorney General, the League of Kansas Municipalities, and the Kansas Association of Counties; and

**WHEREAS**, the moneys in the Municipalities Fight Addiction Fund shall be expended for projects and activities that prevent, reduce, treat, or mitigate the effects of substance abuse and addiction or to reimburse the municipality for previous expenses related to substance abuse mitigation or arising from covered conduct; and

**WHEREAS**, in order to elect to participate in the Teva, Allergan, CVS, Walgreens & Walmart Settlements various documents, such as Settlement Participation Forms, to elect to participate in the settlement agreements and release claims, must be executed by an authorized official empowered and authorized to execute such documents; and

**WHEREAS**, Kiowa County, Kansas desires to participate in the Teva, Allergan, CVS, Walgreens & Walmart Settlements and has entered an Agreement releasing and assigning its Claims to the Attorney General in order to access opioid litigation settlement funds and become eligible for certain state grants;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF KIOWA COUNTY, KANSAS:**

1. Election to Participate in Settlements. The County hereby elects to participate in the Teva, Allergan, CVS, Walgreens & Walmart Settlements and agrees to the terms of the

Settlements and to release claims, pursuant to the Settlement Participation Forms for the Teva, Allergan, CVS, Walgreens & Walmart Settlements in substantially the form presented to and reviewed by Board of County Commissioners at this meeting (copies of these documents shall be on file in the records of the County).

2. Execution of the Settlement Participation Forms. The Kiowa County Attorney is hereby empowered, authorized and directed to execute and deliver the Settlement Participation Forms in substantially the form presented to and reviewed by the Board of County Commissioners at this meeting and such other settlement agreements, documents, certificates and instruments as may be necessary for participation in and to obtain the benefits of the Settlements.
3. Effective Date. This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Kiowa County Board of County Commissioners.

Passed and Adopted this 31 day of March, 2023

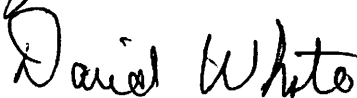
**BOARD OF COUNTY COMMISSIONERS OF KIOWA COUNTY, KANSAS:**



\_\_\_\_\_  
Bert Lowery, Chairman



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John Bertram, Vice-Chairman



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David White

Attest 

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Kristi Cooper, County Clerk