

**SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION NO. 2025 - 099

**A RESOLUTION AUTHORIZING SANTA FE COUNTY TO ENTER INTO
SETTLEMENT AGREEMENTS WITH SECONDARY OPIOID MANUFACTURERS
AND AUTHORIZING THE COUNTY MANAGER TO EXECUTE ON BEHALF OF
THE COUNTY ALL DOCUMENTS NECESSARY OR PROPER TO EFFECTUATE
THE COUNTY'S PARTICIPATION IN THE SETTLEMENT AGREEMENTS**

WHEREAS, in 2018, the Board of County Commissioners (Board) of the County of Santa Fe (County) authorized the County to enter into an engagement agreement with Crueger Dickinson LLC, Simmons Hanly Conroy LLC, von Briesen & Roper, s.c., and Kelly Durham and Pittard, LLP (the "Law Firms") to pursue litigation against certain manufacturers, distributors, and retailers of opioid pharmaceuticals (the "Opioid Defendants") in an effort to hold the Opioid Defendants financially responsible for the impact of the opioid epidemic on the County and for resources necessary to remediate the opioid epidemic; and

WHEREAS, on behalf of the County, the Law Firms filed a lawsuit against the Opioid Defendants, consolidated and currently pending in the Northern District of Ohio, *In Re: Opioid Litigation*, MDL 2804 (the "Litigation"), and have been litigating against the Opioid Defendants since that time; and

WHEREAS, On April 4, 2025, Opioid Defendants Alvogen, Inc., Apotex Corp., Hikma Pharmaceuticals USA Inc., Invidior Inc., Viatris Inc., Sun Pharmaceutical Industries, Inc., and Zydus Pharmaceuticals (USA) Inc. ("Settling Defendants") have entered into settlement agreements with other MDL participants (the "Secondary Manufacturers' Settlement Agreements"), which agreements allow the County to elect to participate in as a participating entity in exchange for valuable consideration;

WHEREAS, copies of the Secondary Manufacturers' Settlement Agreements as well as summaries of the main terms of the Agreement, the deadlines for submitting the Participation Agreements to the Secondary Manufacturers' Settlement Agreements, and the estimated timelines for settlement payments are available at <https://nationalopioidsettlement.com/additional-settlements/>; and

WHEREAS, if the County elects to participate in the Secondary Manufacturers' Settlement Agreements, it will receive benefits therefrom; and

WHEREAS, by October 8, 2025, the County must elect to participate in the Secondary Manufacturers' Settlement Agreements; and

WHEREAS, the County desires to settle its claims against the Settling Defendants identified in this Resolution, provided all conditions precedent to the County's participation as set forth in this Resolution, and the documents and agreements referenced herein, have been satisfied; and

WHEREAS, the County desires to execute any documents necessary to participate in the Secondary Manufacturers' Settlement Agreements, including authorizing funds from the

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settlement to be held in escrow, if necessary, until such time as all conditions precedent to the County's participation have been satisfied; and

WHEREAS, the County desires to authorize the County Manager to execute any and all documents, including the Secondary Manufacturers' Combined Subdivision Participation and Release Form and any related agreements or releases, to allow the County to participate in the Secondary Manufacturers' Settlement Agreements; and

WHEREAS, participation in the Secondary Manufacturers' Settlement Agreements does not affect the County's claims against non-settling Defendants.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD AS FOLLOWS:

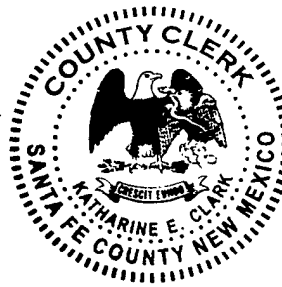
1. The Board hereby approves the Secondary Manufacturers' Settlement Agreements.
2. The County Manager is authorized and directed to execute on behalf of the County all documents necessary or property to effectuate the County's participation in the Secondary Manufacturers' Settlement Agreements, including any allocation agreements and escrow agreements required to be executed as a condition of the County's participation in the Secondary Manufacturers' Settlement Agreements.

BE IT FURTHER RESOLVED that all actions heretofore taken by the Board, other County elected officials, County staff, and the Law Firms with respect to the matters contemplated under this Resolution are hereby ratified, confirmed, and approved.

PASSED, APPROVED, AND ADOPTED ON THIS 9th DAY OF SEPTEMBER, 2025.

**SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS**

By: *Camilla Bustamante*
Camilla Bustamante, Chair



ATTEST:

Katharine E. Clark
Katharine E. Clark
Santa Fe County Clerk

Date: 09/10/2025

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

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[Hereby Certify That This Instrument Was Filed for
Record On The 11TH Day Of September, 2025 at 10:32:10 AM
and Was Duly Recorded as Instrument # 2066923
of The Records Of Santa Fe County

Approved as to form:

Walker Boyd
Walker Boyd
Santa Fe County Attorney

Witness My Hand And Seal Of Office
Katharine E. Clark
Deputy *[Signature]* County Clerk, Santa Fe, NM

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