

**SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION NO. 2026-054

A RESOLUTION AUTHORIZING SANTA FE COUNTY TO ENTER INTO SETTLEMENT AGREEMENTS WITH MORRIS & DICKSON CO., LLC, UNITED NATURAL FOODS, INC., LOUISIANA WHOLESALE DRUG COMPANY, INC., J M SMITH CORPORATION, ASSOCIATED PHARMACIES, INC., AMERICAN ASSOCIATED PHARMACIES, AND NORTH CAROLINA MUTUAL WHOLESALE DRUG COMPANY, INC. CURRENTLY PENDING IN THE NORTHERN DISTRICT OF OHIO, IN RE: OPIOID LITIGATION, MDL 2804, 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, through New Mexico-specific trials and, in addition, in the context of the Litigation overall, negotiations have been ongoing to settle claims against several of the Opioid Defendants, specifically Morris & Dickson Co., LLC, United Natural Foods, Inc., Louisiana Wholesale Drug Company, Inc., J M Smith Corporation, Associated Pharmacies, Inc., American Associated Pharmacies, and North Carolina Mutual Wholesale Drug Company, Inc. (the "Settling Defendants"); and

WHEREAS, negotiations with the Settling Defendants have resulted in proposed nationwide and New Mexico-specific settlements to state and local governments involved in the Litigation; and

WHEREAS, copies of the proposed terms of that nationwide settlement have been set forth in the relevant Settlement Agreement, which can be found at <https://nationalopioidsettlement.com/remnant-settlements/>; and

WHEREAS, copies of the Settlement Agreements as well as summaries of the main terms of the Settlement Agreements, the deadlines for submitting the Participation Agreements to the

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Settlement Agreements, and the estimated timelines for settlement payments have been made available to the County; and

WHEREAS, if the County elects to become a Participating Subdivision in the Settlement Agreement, it will receive the benefits associated with the Settlement Agreements provided the County (a) approves the Settlement Agreement; and (b) executes the Participation Agreements stating the Counties intention to be bound by the Settlement Agreement; and

WHEREAS, by May 4, 2026, the Local Governments must elect to participate in the Settlement Agreement and execute the Participation Agreement by that date; 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 the Participation Agreements necessary to participate in the Settlement Agreement and authorize them 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 without limitation Participation Agreements, to allow the County to participate in the Settlement Agreement; and

WHEREAS, participation in the Settlement Agreement 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 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 Settlement Agreement. Without limiting the generality of the foregoing, the County Manager is authorized to negotiate and execute on behalf of the County the following documents:
 - a. the Participation Agreements for each of the Settlement Agreements with the Settling Defendants;
 - b. all documents necessary to confirm, update, ratify and approve the the Settlement Agreements;
 - c. an Escrow Agreement, if necessary, authorizing the County's Participation Agreements to be held in escrow until such time as all conditions precedent to the County's participation in one, some or all of the Settlement Agreements have been satisfied. The Escrow Agreement shall define the circumstances

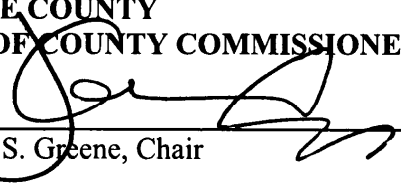
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under which the County Manager may authorize release of the escrowed Participation Agreements by the Escrow Agent.

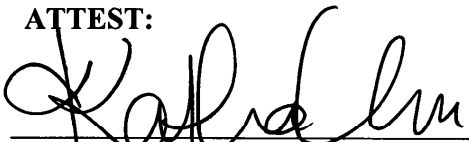
BE IT FURTHER RESOLVED that all actions heretofore taken by the Board, other County elected officials, County staff, and the Law Firms with respect to the matters contemplated under this Resolution are hereby ratified, confirmed, and approved.

PASSED, APPROVED, AND ADOPTED ON THIS 14th DAY OF APRIL, 2026.

**SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS**

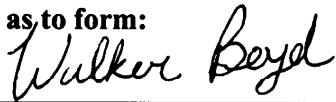
By: 
Justin S. Greene, Chair

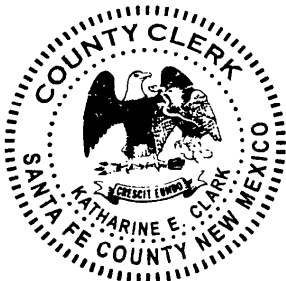
ATTEST:


Katharine E. Clark
Santa Fe County Clerk

Date: 05/01/2026


Approved as to form:


Walker Boyd
Santa Fe County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss BCC RESOLUTIONS
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I Hereby Certify That This Instrument Was Filed for Record On The 1ST Day Of May, 2026 at 03:19:46 PM and Was Duly Recorded as Instrument # 2082688 of The Records Of Santa Fe County

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

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