



Legislation Details (With Text)

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5/15/2018	1	City Council	adopt	Pass

Resolution to Join Multi-District Lawsuit Against Opioid Manufacturers and Wholesale Distributors

Department: Legal
Meeting Date:
Public Hearing: No
Advertising Date/By: N/A

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Contact 2 and Phone: Jennifer Schneider, Assistant City Attorney, 373-2320

PURPOSE:

To join a multi-district lawsuit against opioid manufacturers and wholesale distributors.

BACKGROUND:

This litigation is spearheaded by Michael Jay Fuller, Jr., Esq., lead counsel of the law firm McHugh Fuller Law Group, PLLC who has partnered with additional counsel on a contingent fee basis to pursue all civil remedies against those in the chain of distribution of prescription opiates responsible for the opioid epidemic which is plaguing our city.

Attorney Fuller states that this litigation is intended to address a significant problem in the community. The litigation focuses on the manufacturers and wholesale distributors and their role in the diversion of millions of prescription opiates into the illicit market which has resulted in opioid addiction, abuse, morbidity and mortality. There is no easy solution and no precedent for such an action against this sector of the industry. Many of the facts of the case are locked behind closed doors. The billion dollar industry denies liability. The litigation will be very expensive and the litigation expenses will be advanced by litigating counsel with reimbursement contingent upon a successful recovery.

BUDGET IMPACT:

The lawsuit will be on a contingency basis. If the City receives a monetary recovery, the litigating counsel will receive 25% of the recovery plus 10% of their total costs/deductions, and the total shall not amount to more

than 35%. In no event will the City pay for costs/deductions that exceed the amount of recovery. Counsel will not be entitled to any legal fee or any costs/deduction if there is no monetary recovery.

RECOMMENDATION / ACTION REQUESTED:

It is recommended that City Council agree to join the lawsuit against opioid manufacturers and wholesale distributors.