



**A RESOLUTION OF FRANKLIN COUNTY, KANSAS TO JOIN THE STATEWIDE LITIGATION
REGARDING THE OPIOID EPIDEMIC;**

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, Franklin County, its residents and resources have been impacted by the Opioid Epidemic, and have incurred at least \$500 in expenses as a result of 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

**NOW, THEREFORE, BE IT RESOLVED BY
THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY**

Franklin County shall join the Memorandum of Understanding between the Attorney General, the League of Kansas Municipalities, and the Kansas Association of Counties.

Franklin County shall authorize the signing of an "Agreement to Release and Assign Claims"

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 Franklin County Board of County Commissioners.

ADOPTED this ____ day of _____, 2022.

Roy Dunn, Chairman

Received and recorded this 2nd day of February, 2022.

Janet Paddock, County Clerk

Agreement to Release and Assign Claims

BETWEEN:

Franklin County, (the "Assignor"), a municipality as defined by Kansas Statutes Annotated §12-105a, or other Political Subdivision, located within the State of Kansas, with its principal business office located at:

1428 S. Main St.
Ottawa, KS 66067

AND:

Derek Schmidt, the duly elected Attorney General of the State of Kansas, with a principal business office located at:

The Office of the Kansas Attorney General
120 SW 10th Ave., 2nd Floor
Topeka, KS 66612

FOR VALUE CONTEMPLATED, consistent with **Kansas Opioids Memorandum of Understanding between the Attorney General, the League of Kansas Municipalities, and the Kansas Association of Counties**, as adopted by resolution passed by the Assignor on February 02, 2022, the Assignor hereby releases its legal claims, and transfers and assigns to the Assignee, his successors, assigns, deputies, assistants, and personal representatives, any and all claims, demands, and cause or causes of actions on any kind whatsoever which the undersigned has or may have against any opioid manufacturer, distributor, and/or pharmacy, or entity within the Pharmaceutical Supply Chain, arising from the following type of claim:

Any and all claims arising out of "covered conduct" and "opioid litigation" as defined by 2021 Kansas House Bill No. 2079, and any and all claims on file by Assignor in MDL Case No. 1:17-md-2804, if any.

And the undersigned may in the name of the State of Kansas and for the benefit of the State of Kansas as defined by state law, 2021 House Bill No. 2079, and consistent with Kansas Opioids Memorandum of Understanding between the Attorney General, the League of Kansas Municipalities, and the Kansas Association of Counties, prosecute, collect, settle, compromise and grant releases on said claim as in his sole discretions deems advisable.

IN WITNESS THEREOF, the parties have executed this Assignment on the day and year first above written.

Signed, sealed and delivered in the presence of:

ASSIGNOR

ASSIGNEE

Authorized Signature

Authorized Signature

Print Name and Title

Derek Schmidt, Kansas Attorney General
Office of the Kansas Attorney General