

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. 821-2022, AUTHORIZING AND APPROVING  
A SETTLEMENT AGREEMENT TO AN ACTION RELATING TO  
THE OPIOID CRISIS (TEVA)**

**WHEREAS**, there is pending the matter of *County of Suffolk v. Purdue Pharma L.P., et al.*, under Index No. 400001/2017 in the Supreme Court, Suffolk County, regarding the opioid addiction crisis, in which the County of Suffolk is the named plaintiff in the action (the “Action”); and

**WHEREAS**, the Action is against several defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies; and

**WHEREAS**, the Action alleges several causes of action against defendants Teva Pharmaceutical Industries Ltd., all of its respective past and present direct or indirect parents, subsidiaries, divisions, affiliates, joint ventures, predecessors, successors, assigns, including but not limited to Teva Pharmaceuticals USA, Inc., the Actavis Generic Entities, and Andia, Inc. (“Teva”), which include a claim for falsely marketing prescription opioids and a claim for failure to effectively monitor and report suspicious orders of prescription opioids and/or failure to implement measures to prevent diversion of prescription opioids, which contributed to an increase in opioid overdose and addiction which contributed to a public health crisis in Suffolk County; and

**WHEREAS**, defendant Teva has offered to settle the County of Suffolk’s claims against it by paying the sum of ninety-one million dollars (\$91,000,000.00) to be used for “Approved Uses” as defined in the settlement, including treatment, abatement and remediation; and

**WHEREAS**, the Department of Law has approved a settlement agreement and release (“Agreement”) and the Agreement is attached hereto as Exhibit “A”; and

**WHEREAS**, it is in the best interest of the County of Suffolk to resolve this matter with respect to Teva without further litigation and enter into the proposed Agreement as it shall settle all allegations against Teva and avoid protracted litigation; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the execution and delivery on behalf of and in the name of the County of Suffolk by the County Executive, or his designee, of the proposed Agreement attached hereto as Exhibit “A” is hereby authorized, and the County Executive, or his designee, is hereby authorized, subject to County Attorney approval, and directed to execute the proposed Agreement in a form substantially similar thereto and execute such other documents as may be necessary and appropriate to effectuate the settlement with Teva; and be it further

**2<sup>nd</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this resolution constitutes a Type II Action pursuant to Section 617.5(c)(26) and (33) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, and information collections, and the Suffolk County

Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: November 22, 2022

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: November 29, 2022