

RESOLUTION NO. R-2021-115

A RESOLUTION AUTHORIZING AND DIRECTING THE WHEATON CITY MANAGER TO SUBMIT AND SIGN DOCUMENTATION NECESSARY TO PARTICIPATE AND SECURE DISTRIBUTION OF SETTLEMENT PROCEEDS FROM PROPOSED NATIONWIDE SETTLEMENT AGREEMENTS RESOLVING OPIOID LITIGATION BROUGHT BY THE ATTORNEY GENERAL OF ILLINOIS AGAINST PHARMACEUTICAL DISTRIBUTORS MCKESSON, CARDINAL HEALTH AND AMERISOURCE BERGEN (DISTRIBUTORS), MANUFACTURER JANSSEN PHARMACEUTICALS, INC. AND ITS PARENT COMPANY, JOHNSON & JOHNSON, COLLECTIVELY

WHEREAS, the Illinois Attorney General, Kwame Raoul, has participated in negotiations directed at achieving nationwide settlement agreements to resolve opioid litigation brought by state and local political subdivisions against pharmaceutical distributors McKesson, Cardinal Health and Amerisource Bergen, manufacturer Janssen Pharmaceuticals, Inc. and its parent company, Johnson & Johnson, collectively; and

WHEREAS, in order for the City of Wheaton to participate in the settlement benefits achieved through such litigation, it must submit documentation agreeing to its participation in the settlement; and

WHEREAS, the City Council of the City of Wheaton finds that it is more cost effective to participate in the settlement than to attempt independent and singular litigation in its own capacity against the foregoing entities; and

WHEREAS, the City designates City Manager, Michael Dzugan, to prepare and execute documents associated with participation and distribution of the settlement proceeds.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule authority, that:

Section 1: The City Manager, Michael Dzugan, is hereby authorized and directed to undertake any and all actions in conformance with the participation requirements of the opioid settlement.

Section 2: The City Manager is hereby authorized to have City staff and corporate counsel to assist him in the foregoing process.

Section 3: That this resolution and its direction shall become effective immediately upon passage and the City Manager is directed to accomplish the direction of this counsel with regard to the resolution of the opioid settlement by submission of the documents necessary to participate on or before January 2, 2022.

ADOPTED this 20th day of December 2021.


Philip J. Suess

Mayor

ATTEST:


Andrea Rosedale

City Clerk

Roll Call Vote:

Ayes: Councilwoman Fitch
Councilwoman Robbins
Councilman Weller
Councilman Barbier
Councilwoman Bray-Parker
Councilman Brown
Mayor Suess

Nays: None

Absent: None

Motion Carried Unanimously