

THE STATE OF TEXAS §

COUNTY OF FORT BEND §

**ORDER AUTHORIZING APPROVAL OF PROPOSED "JANSSEN"  
OPIOID SETTLEMENT**

BE IT REMEMBERED, at a regular meeting of the Commissioners Court of Fort Bend County, Texas, held on the, 26 day of October, 2021, on motion made by Andy Meyers Commissioner of Precinct 3 and seconded by Ken DeMerchant Commissioner of Precinct 4, the following Order (Resolution) was adopted:

WHEREAS, Fort Bend County obtained information indicating that certain drug companies and their corporate affiliates, parents, subsidiaries, and such other defendants as may be added to the litigation (collectively, "Defendants") have engaged in fraudulent and/or reckless marketing and/or distribution of opioids that have resulted in addictions and overdoses; and

WHEREAS, these actions, conduct and misconduct have resulted in significant financial costs in the past to the County and will undoubtedly result in significant financial costs in the future; and

WHEREAS, the County brought claims against defendants in the opioid supply chain on behalf of the County in Cause No. 19-DCV-263509 styled *County of Fort Bend, Texas v. Purdue Pharma L.P. et al* in the 400th District Court of Fort Bend County; and

WHEREAS, on October 17, 2021, Janssen and the Johnson & Johnson defendants in the opioid litigation brought by the County, the State of Texas, through the Office of the Attorney General, and a negotiation group for Texas political subdivisions entered into an Agreement entitled Janssen Texas State-Wide Opioid Settlement Agreement and Term Sheet (hereafter, the Janssen Settlement); and

WHEREAS, Special Counsel and the State of Texas have recommended that the Fort Bend County Commissioners Court support the adoption and approval the Janssen Settlement in its entirety; and

WHEREAS, even though the payment does not fully compensate Fort Bend County for the past damages it has suffered or the future damages it is likely to incur, given the risks of litigation, the

fact that this is a settlement with only one group of Defendants and the risks of bankruptcy;

NOW, THEREFORE, BE IT RESOLVED that we, the Commissioners Court of Fort Bend County:

1. Support the adoption and approval the Janssen Settlement in its entirety; and
2. Authorize County and Special Counsel to execute the Release at Exhibit A of the Janssen Settlement; and
3. Finds as follows:
  - a. There is a substantial need for repayment of past opioid-related expenditures and payment to help abate current and future opioid-related harms in and about Fort Bend County, Texas; and
  - b. The County Commissioners Court supports in its entirety the Janssen Settlement. The County Commissioners Court understands that the purpose of this Settlement to effectuate resolution of the Opioid Litigation against Janssen entities. We also understand that an additional purpose is to ensure the effective means of distributing any potential settlement funds obtained under this Janssen Settlement in Texas and under the jurisdiction of Texas Courts in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic in this County and throughout Texas.

The County Attorney is hereby authorized to approve and accept the "Janssen Settlement."

The County Judge is hereby authorized to execute and deliver the settlement agreement recommended for approval by the County Attorney in the above referenced case and to approve such terms and provisions for the full and final settlement of all matters set forth therein.

DONE IN OPEN COURT on this the 26 day of October, 2021.

FORT BEND COUNTY

  
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KP George, County Judge

ATTEST:

  
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Laura Richard, County Clerk

