

THE STATE OF TEXAS                   §

COUNTY OF FORT BEND               §

**ORDER (RESOLUTION) AUTHORIZING APPROVAL OF PROPOSED TEXAS  
STATEWIDE OPIOID SETTLEMENT AGREEMENTS**

BE IT REMEMBERED, at a regular meeting of the Commissioners Court of Fort Bend County, Texas, held on the 25<sup>th</sup> day of July, 2023, on motion made by Commissioner Morales Commissioner of Precinct 1 and seconded by Commissioner McCoy 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 or has investigated claims against (1) Walgreens Co., ("Walgreens Defendants"), CVS Health Corporation and CVS Pharmacy, Inc ("CVS Defendants"), and Walmart, Inc. ("Walmart Defendants), and certain other defendants related to potentially released claims; and (2) other defendants in the opioid supply chain on behalf of the County in *In Re: Texas Opioid Litigation*, MDL No. 2018-63587, currently pending in the 152nd District Court of Harris County, Texas and/or removed pending remand; and

WHEREAS, on May 16, 2023, the Walgreens Defendants, June 6, 2023 the CVS Defendants, and June 22, 2023 the Walmart 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 Walgreens Texas Settlement Agreement and Release, CVS Texas Settlement Agreement and Release, and Walmart Texas Settlement Agreement and Release (hereinafter collectively the "Texas Agreement"); and

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

WHEREAS, even though the payments from the settlements reflect partial compensation to 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 it is to the benefit of Texas and the County and its residents, and that it reduces the risks associated with protracted litigation;

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

1. Support the adoption and approval the Texas Agreement;
2. Authorizes the County to execute the Texas Release for the Texas Subdivision Participation Form and Release; 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 Texas Agreement. The County Commissioners Court understands that the purpose of each Settlement is to effectuate resolution of the Opioid Litigation against the Walgreens Defendants, CVS Defendants and Walmart Defendants. We also understand that an additional purpose is to ensure the effective means of distributing any potential settlement funds obtained under settlements 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 is hereby authorized to approve and accept the Texas Agreement as set forth herein.

The County Judge or designated official is hereby authorized to execute and deliver the settlement documents recommended for approval by Special Counsel 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 25<sup>th</sup> day of July, 2023.

FORT BEND COUNTY, TEXAS

*Kelly George*  
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George, County Judge

ATTEST:

*Laura Richard*  
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Laura Richard, County Clerk

