

1 299-122023

2 **RESOLUTION: Authorizing Winnebago County to Remain a Party to the McKinsey**
3 **Opioid Settlement Agreement**
4

5 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

6 **WHEREAS**, in Resolution No. 230-122017, the Winnebago County Board of Supervisors authorized
7 Winnebago County to enter into an engagement agreement with von Briesen & Roper, s.c., Crueger Dickinson LLC
8 and Simmons Hanly Conroy LLC (the "Law Firms") to pursue litigation against certain manufacturers, distributors, and
9 retailers of opioid pharmaceuticals (the "Opioid Defendants") in an effort to hold the Opioid Defendants financially
10 responsible for Winnebago County's expenditure of vast money and resources to combat the opioid epidemic; and

11 **WHEREAS**, a class action lawsuit was filed in the northern district of California entitled *In re McKinsey & Co.,*
12 *Inc., National Prescription Opiate Consultant Litigation*, Case No. 3:21-md-02996-CRB (N.D. California). McKinsey has
13 denied the allegations; and

14 **WHEREAS**, a settlement has been reached in the class action lawsuit against McKinsey & Co., Inc.,
15 claiming that McKinsey played a central role in the unfolding, propagation, and exploitation of the opioid crisis by
16 advising multiple opioid manufacturers and other industry participants how to sell as many prescription opioids as
17 possible; and

18 **WHEREAS**, while the amount of the settlement (\$207 million) is relatively small compared to other previous
19 settlements, the case against McKinsey is a very different case. McKinsey not only intended to counter the
20 substantive issues of the case but attack local government's power to bring the type of lawsuit brought; and

21 **WHEREAS**, to remain a party to the McKinsey class action settlement, this Board needs to pass this
22 resolution; and

23 **WHEREAS**, National Counsel's recommendation is to remain a party to the settlement.

24 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
25 authorizes Winnebago County to remain a party to the McKinsey Opioid Settlement Agreement.

26 Respectfully submitted by:
27 **Supervisor Conley Hanson, District 26**
28 **Supervisor Tom Egan, District 33**
29

30 Vote Required for Passage: **Majority of Members Present**

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33 Approved by the Winnebago County Executive this ____ day of _____, 2023.

34
35 _____
36 Jonathan D. Doemel
37 Winnebago County Executive