

**A RESOLUTION OF ATCHISON COUNTY, KANSAS TO APPROVE THE JOIN THE STATEWIDE LITIGATION REGARDING THE OPIOID EPIDEMIC;**

**WHEREAS**, the people of the State of Kansas and its communities have been harmed by the Opioid Epidemic due to the misfeasance, nonfeasance, and malfeasance committed by certain entities within the Pharmaceutical Supply Chain; and

**WHEREAS**, the State of Kansas, through its Attorney General, and certain Political Subdivisions, through their elected representatives and counsel, that separately have claims or potential claims seek to hold Pharmaceutical Supply Chain Participants accountable for the damages caused by their misfeasance, nonfeasance, and malfeasance; and

**WHEREAS**, Atchison County, its residents and resources have been impacted by the Opioid Epidemic; and

**WHEREAS**, 2021 House Bill 2079 contemplates the distribution of settlement funds received from the opioid litigation to non-litigating municipalities and litigating municipalities who have entered into an agreement to waive their claims according to a formula negotiated between the Attorney General, the League of Kansas Municipalities, and the Kansas Association of Counties; and

**WHEREAS**, the moneys in the Municipalities Fight Addiction Fund shall be expended for projects and activities that prevent, reduce, treat, or mitigate the effects of substance abuse and addiction or to reimburse the municipality for previous expenses related to substance abuse mitigation or arising from covered conduct; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ATCHISON COUNTY, KANSAS:**

Atchison County shall join the Memorandum of Understanding between the Attorney General, the League of Kansas Municipalities, and the Kansas Association of Counties.

Atchison County authorizes the signing of an "Agreement to Release and Assign Claims."

This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Board of County Commissioners of Atchison County, Kansas.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS of Atchison County, Kansas, this 14<sup>th</sup> day of December, 2021.

By: \_\_\_\_\_

Jack Bower, Chairman

By: \_\_\_\_\_

Eric Noll, 2nd District Commissioner

By: Casey Quinn  
Casey Quinn, Brd District Commissioner

ATTEST:

Michelle Phillips  
Michelle Phillips, Atchison County Clerk



**Agreement to Release and Assign Claims**

**BETWEEN:**

The Board of County Commissioners of Atchison County, Kansas, (the "Assignor"), a municipality as defined by Kansas Statutes Annotated §12-105a, or other Political Subdivision, located within the State of Kansas, with its principal business office located at:

423 North 5th Street  
Atchison, Kansas 66002

**AND:**

Derek Schmidt, the duly elected Attorney General of the State of Kansas, (the "Assignee"), with a principal business office located at:

The Office of the Kansas Attorney General  
120 SW 10th Ave., 2nd Floor  
Topeka, Kansas 66612

**FOR VALUE CONTEMPLATED**, consistent with **Kansas Opioids Memorandum of Understanding between the Attorney General, the League of Kansas Municipalities, and the Kansas Association of Counties**, as adopted by Atchison County Resolution 2021- 1489 passed by the Assignor on December 14, 2021, the Assignor hereby releases its legal claims, and transfers and assigns to the Assignee, his successors, assigns, deputies, assistants, and personal representatives, any and all claims, demands, and cause or causes of actions on any kind whatsoever which the undersigned has or may have against any opioid manufacturer, distributor, and/or pharmacy, or entity within the Pharmaceutical Supply Chain, arising from the following type of claim:

**Any and all claims arising out of "covered conduct" and "opioid litigation" as defined by 2021 Kansas House Bill No. 2079, and any and all claims on file by Assignor in MDL Case No. 1:17-md-2804, if any.**

And the undersigned may in the name of the State of Kansas and for the benefit of the State of Kansas as defined by state law, 2021 House Bill No. 2079, and consistent with Kansas Opioids Memorandum of Understanding between the Attorney General, the League of Kansas Municipalities, and the Kansas Association of Counties, prosecute, collect, settle, compromise and grant releases on said claim as in his sole discretions deems advisable.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS of Atchison County, Kansas, this 14<sup>th</sup> day of December, 2021.

By:   
\_\_\_\_\_  
Jack Bower, Chairman

By:   
\_\_\_\_\_  
Eric Noll, 2nd District Commissioner

By: Casey Quinn  
Casey Quinn, 3rd District Commissioner

ATTEST:

Michelle Phillips  
Michelle Phillips, Atchison County Clerk



Approved by ASSIGNEE, this \_\_\_\_\_ day of December, 2021.

Derek Schmidt, Kansas Attorney General  
Office of the Kansas Attorney General  
120 SW 10th Ave., 2nd Floor  
Topeka, KS 66612

By: \_\_\_\_\_  
Authorized Signature