

RESOLUTION NO. 30
(Series 2021)

**A RESOLUTION BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD,
APPROVING THE MEMORANDUM OF UNDERSTANDING AND OTHER
DOCUMENTS RELATED TO THE COLORADO OPIOIDS SETTLEMENT AND
AUTHORIZING THE MAYOR TO EXECUTE SUCH DOCUMENTS**

WHEREAS, the State of Colorado and several Colorado local governments have pursued litigation against various pharmaceutical companies for their role in causing the opioid epidemic in Colorado; and

WHEREAS, the litigation has resulted in settlements with Purdue Pharma, McKinsey & Co., Johnson & Johnson, AmerisourceBergen, Cardinal Health, and McKesson; and

WHEREAS, by letter dated October 1, 2021, Attorney General Phil Weiser informed the Town of Berthoud (“Town”) and other Colorado local governments that the Colorado Department of Law has come to an agreement with Colorado’s local governments for distributing opioid settlement and recovery funds to counties and municipalities; and

WHEREAS, the settlement funds to be distributed to the State of Colorado and local governments will be used to abate the opioid crisis pursuant to the terms of a Memorandum of Understanding approved by the Colorado Attorney General on August 6, 2021; and

WHEREAS, the Town may opt in to the settlement and participate in distribution of settlement funds by approving the following documents:

1. The Colorado Opioids Settlement Memorandum of Understanding (“MOU”) that establishes the allocation of opioid settlement funds in the State of Colorado;
2. The Settlement Participation Form that releases the Town’s legal claims against Johnson & Johnson;
3. The Settlement Participation Form that releases the Town’s legal claims against AmerisourceBergen, Cardinal Health, and McKesson; and
4. The Colorado Subdivision Escrow Agreement that ensures subdivisions’ legal claims are released only when 95% participation by certain local governments has been reached

(collectively, the “Settlement Documents”); and

WHEREAS, the Board of Trustees believes it is in the best interest of the Town to approve the Settlement Documents.

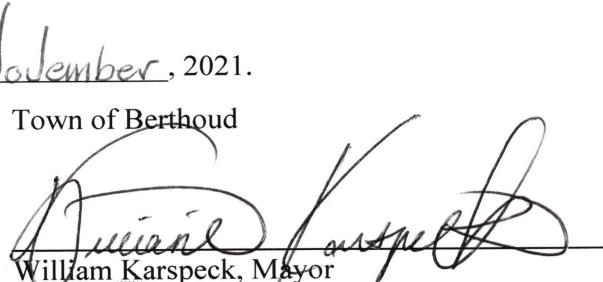
NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Berthoud, Colorado, that:

Section 1. The Board of Trustees hereby approves the Colorado Opioids Settlement Memorandum of Understanding substantially in the form attached hereto and incorporated herein

by this reference, and authorizes the Mayor to execute the same on behalf of the Town. The Board of Trustees further authorizes the Mayor to execute any additional documents necessary to effectuate the settlement.

APPROVED, and ADOPTED this 9th day of November, 2021.

Town of Berthoud


William Karspeck, Mayor



ATTEST:


Christian R. Samora, Town Clerk