

File No. 230686

Committee Item No. 5

Board Item No. \_\_\_\_\_

# COMMITTEE/BOARD OF SUPERVISORS

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Committee: Government Audit and Oversight

Date: July 20, 2023

Board of Supervisors Meeting:

Date: \_\_\_\_\_

### Cmte Board

- Motion
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- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU - FY2022-2024 - Clean
- MOU - FY2022-2024 - Redline
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract / DRAFT Mills Act Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

### OTHER

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- \_\_\_\_\_
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Prepared by: Stephanie Cabrera

Date: July 12, 2023

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Settlement of Lawsuit - Walgreen Co. - City to Receive \$229,610,002 Over 15 Years]

2  
3 **Ordinance authorizing settlement of the lawsuit filed by the City and County of San**  
4 **Francisco and the People of the State of California against Walgreen Co. for**  
5 **\$229,610,002 (the City to be paid \$200,000,002 over 15 years, the City's outside counsel**  
6 **to be paid \$29,610,000); the lawsuit was filed on December 18, 2018, in the United**  
7 **States District Court for the Northern District of California, Case No. 3:18-cv-7591-CRB-**  
8 **JSC; entitled The City and County of San Francisco and the People of the State of**  
9 **California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer**  
10 **D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa**  
11 **Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler**  
12 **Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries**  
13 **Ltd., Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions**  
14 **Inc., Endo Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics,**  
15 **Inc., Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc f/k/a Actavis Plc, Watson**  
16 **Pharmaceuticals, Inc. n/k/a Actavis, Inc., Watson Laboratories, Inc., Actavis LLC,**  
17 **Actavis Pharma, Inc. f/k/a Watson Pharma, Inc., AmerisourceBergen Corporation,**  
18 **Cardinal Health, Inc., and McKesson Corporation; the lawsuit involves Walgreen Co.'s  
19 **improper and unlawful dispensing of prescription opioids at its pharmacies, which**  
20 **contributed to the epidemic of opioid abuse and misuse and caused a public nuisance**  
21 **in San Francisco.****

22 Be it ordained by the People of the City and County of San Francisco:

23  
24 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby  
25 authorizes the City Attorney to settle the action entitled The City and County of San Francisco

1 and the People of the State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan  
2 D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler,  
3 Theresa Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler  
4 Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd.,  
5 Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo  
6 Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt  
7 Plc, Mallinckrodt LLC, Allergan Plc f/k/a Actavis Plc, Watson Pharmaceuticals, Inc. n/k/a  
8 Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. f/k/a Watson  
9 Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson  
10 Corporation, the United States District Court for the Northern District of California, Case No.  
11 3:18-cv-7591-CRB-JSC by the payment of \$229,610,002 (the City to be paid \$200,000,002  
12 over 15 years, the City's outside counsel to be paid \$29,610,000) by Walgreen Co. The  
13 lawsuit involves Walgreen Co.'s improper and unlawful dispensing of prescription opioids at its  
14 pharmacies, which contributed to the epidemic of opioid abuse and misuse and caused a  
15 public nuisance in San Francisco.

16 Section 2. The above-named action was filed in the United States District Court for the  
17 Northern District of California on December 18, 2018, and the following parties were named in  
18 the lawsuit: The City and County of San Francisco and the People of the State of California,  
19 as plaintiffs; Purdue Pharma L.P.; Purdue Pharma Inc.; The Purdue Frederick Company, Inc.;  
20 Rhodes Pharmaceuticals L.P.; Richard S. Sackler; Jonathan D. Sackler; Mortimer D.A.  
21 Sackler, Kathe A. Sackler; Ilene Sackler Lefcourt; Beverly Sackler; Theresa Sackler; David A.  
22 Sackler; Trust for the Benefit of the Raymond Sackler Family; Allergan Plc f/k/a Actavis Plc;  
23 Allergan Finance, LLC f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals, Inc.; Allergan Sales,  
24 LLC; Allergan USA, Inc.; Watson Laboratories, Inc.; Warner Chilcott Company, LLC; Actavis  
25 Pharma, Inc. f/k/a Watson Pharma, Inc.; Actavis South Atlantic LLC; Actavis Elizabeth LLC;

1 Actavis Mid Atlantic LLC; Actavis Totowa LLC; Actavis LLC; Actavis Kadian LLC; Actavis  
2 Laboratories UT, Inc. f/k/a Watson Laboratories, Inc.-Salt Lake City; Actavis Laboratories FL,  
3 Inc. f/k/a Watson Laboratories, Inc.-Florida; Teva Pharmaceuticals USA, Inc.; Teva  
4 Pharmaceutical Industries Ltd.; Cephalon, Inc.; Johnson & Johnson; Janssen  
5 Pharmaceuticals, Inc.; Noramco, Inc.; Ortho-Mcneil-Janssen Pharmaceuticals, Inc.; Janssen  
6 Pharmaceutica, Inc.; Endo Health Solutions Inc.; Endo Pharmaceuticals, Inc.; Par  
7 Pharmaceuticals, Inc.; Par Pharmaceutical Companies, Inc. f/k/a Par Pharmaceutical  
8 Holdings, Inc.; Endo International Plc; Insys Therapeutics, Inc.; Mallinckrodt Plc; Mallinckrodt  
9 LLC; Specgx LLC; AmerisourceBergen Drug Corporation; Anda, Inc.; Cardinal Health, Inc.;  
10 McKesson Corporation; and Walgreen Co. as defendants.

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APPROVED AS TO FORM:  
DAVID CHIU, City Attorney

By: /s/ Sara J. Eisenberg  
SARA J. EISENBERG  
Chief of Complex and Affirmative Litigation

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