

File No. 220819

Committee Item No. \_\_\_\_\_

Board Item No. 14

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

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

Board of Supervisors Meeting

Date: July 26, 2022

#### Cmte Board

- |                          |                                     |                                              |
|--------------------------|-------------------------------------|----------------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Resolution                                   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <input type="checkbox"/> | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/>            | MOU                                          |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

- |                          |                                     |                                                    |
|--------------------------|-------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Presidential Action Memo - 30 Day Waiver - 7/14/22 |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____                                              |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____                                              |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____                                              |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____                                              |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____                                              |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____                                              |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____                                              |

Prepared by: Lisa Lew

Date: July 15, 2022

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

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

[Settlement of Lawsuit - Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Par Pharmaceutical, Inc. and Par Pharmaceutical Companies, Inc. - City to Receive \$10,000,000 Total; \$5,000,000 Immediately, \$5,000,000 in 10 Equal Annual Payments]

**Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Par Pharmaceutical, Inc. and Par Pharmaceutical Companies, Inc. for \$10,000,000 (\$5,000,000 immediately and \$5,000,000 paid in 10 equal annual payments); the lawsuit was filed on December 18, 2018, in the United States District Court for the Northern District of California, Case No. 3:18-cv-7591-CRB-JSC; entitled The City and County of San Francisco and the People of the State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc F/K/A Actavis Plc, Watson Pharmaceuticals, Inc. N/K/A Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. F/K/A/ Watson Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation; the lawsuit involves allegations that the Endo defendants created a public nuisance and violated the Unfair Competition Law by falsely and misleadingly marketing opioids as safer than they actually are and distributing increasingly large volumes of opioids in and around San Francisco despite knowledge of the growing**

1 epidemic caused by opioid misuse, and by failing to prevent and report suspicious  
2 opioid orders as required by state and federal law.

3  
4 Be it ordained by the People of the City and County of San Francisco:

5 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby  
6 authorizes the City Attorney to settle the action entitled The City and County of San Francisco  
7 and the People of the State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan  
8 D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler,  
9 Theresa Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler  
10 Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd.,  
11 Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo  
12 Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt  
13 Plc, Mallinckrodt LLC, Allergan Plc F/K/A Actavis Plc, Watson Pharmaceuticals, Inc. N/K/A  
14 Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. F/K/A/ Watson  
15 Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson  
16 Corporation, the United States District Court for the Northern District of California, Case No.  
17 3:18-cv-7591-CRB-JSC by the payment of \$10,000,000 (\$5,000,000 immediately and  
18 \$5,000,000 paid in 10 equal annual payments) by Endo Pharmaceuticals Inc. The lawsuit  
19 involves allegations that the Endo defendants created a public nuisance and violated the  
20 Unfair Competition Law by falsely and misleadingly marketing opioids as safer than they  
21 actually are and distributing increasingly large volumes of opioids in and around San  
22 Francisco despite knowledge of the growing epidemic caused by opioid misuse, and by failing  
23 to prevent and report suspicious opioid orders as required by state and federal law.

24 Section 2. The above-named action was filed in the United States District Court for the  
25 Northern District of California on December 18, 2018, and the following parties were named in

1 the lawsuit: The City and County of San Francisco and the People of the State of California,  
2 as plaintiffs; Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A.  
3 Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A.  
4 Sackler, Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes  
5 Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva  
6 Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo  
7 Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt  
8 Plc, Mallinckrodt LLC, Allergan Plc F/K/A Actavis Plc, Watson Pharmaceuticals, Inc. N/K/A  
9 Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. F/K/A/ Watson  
10 Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson  
11 Corporation as defendants.

12  
13  
14 APPROVED AS TO FORM AND  
15 RECOMMENDED:

16 DAVID CHIU  
17 City Attorney

18 /s/ Sara J. Eisenberg  
19 SARA J. EISENBERG  
20 Chief of Complex and Affirmative Litigation

21  
22  
23  
24  
25  
26 q:\images\190034 opioid mdl\working file\jhg\ccsf v. purdue pharma et al - endo ordinance.docx

President, District 10  
BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Tel. No. 554-6516  
Fax No. 554-7674  
TDD/TTY No. 544-6546

**Shamann Walton**

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**PRESIDENTIAL ACTION**

Date: 7/14/2022

To: Angela Calvillo, Clerk of the Board of Supervisors

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Madam Clerk,  
Pursuant to Board Rules, I am hereby:

☒ Waiving 30-Day Rule (Board Rule No. 3.23)

File No.

220819

Walton

(Primary Sponsor)

Title.

Settlement of Lawsuit - Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Par Pharmaceutical, Inc. and Par Pharmaceutical Companies, Inc. - City to Receive \$10,000,000 Total; \$5,000,000 Immediately, \$5,000,000 in 10 Equal Annual Payments

☐ Transferring (Board Rule No 3.3)

File No.

(Primary Sponsor)

Title.

From:

Committee

To:

Committee

☐ Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor:

Replacing Supervisor:

For:

(Date)

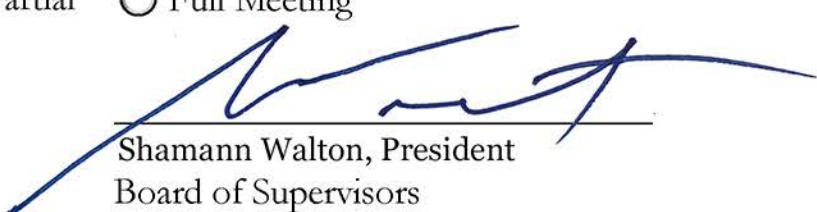
(Committee)

Meeting

Start Time:

End Time:

Temporary Assignment: ☐ Partial ☐ Full Meeting

  
Shamann Walton, President  
Board of Supervisors

# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- ☐ 2. Request for next printed agenda Without Reference to Committee.
- ☒ 3. Request for hearing on a subject matter at Committee.
- ☐ 4. Request for letter beginning : "Supervisor  inquiries"
- ☐ 5. City Attorney Request.
- ☐ 6. Call File No.  from Committee.
- ☐ 7. Budget Analyst request (attached written motion).
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Reactivate File No.
- ☐ 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- ☐ Small Business Commission      ☐ Youth Commission      ☐ Ethics Commission
- ☐ Planning Commission      ☐ Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Walton

Subject:

[Settlement of Lawsuit - Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Par Pharmaceutical, Inc. and Par Pharmaceutical Companies, Inc. - City to Receive \$10,000,000 total; \$5,000,000 immediately, \$5,000,000 in 10 equal annual payments]

The text is listed:

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Par Pharmaceutical, Inc. and Par Pharmaceutical Companies, Inc. for \$10,000,000 (\$5,000,000 immediately and \$5,000,000 paid in 10 equal annual payments); the lawsuit was filed on December 18, 2018, in the United States District Court for the Northern District of California, Case No. 3:18-cv-7591-CRB-JSC; entitled The City and County of San Francisco and the People of the State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc F/K/A Actavis Plc, Watson Pharmaceuticals, Inc. N/K/A Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. F/

K/A/ Watson Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation; the lawsuit involves allegations that the Endo defendants created a public nuisance and violated the Unfair Competition Law by falsely and misleadingly marketing opioids as safer than they actually are and distributing increasingly large volumes of opioids in and around San Francisco despite knowledge of the growing epidemic caused by opioid misuse, and by failing to prevent and report suspicious opioid orders as required by state and federal law.

Signature of Sponsoring Supervisor: /s/ Shamann Walton

For Clerk's Use Only