

1 [Settlement of Unlitigated Claims against The Kroger Co. - City to Receive Approximately
2 \$1,300,000 to \$3,400,000 Over 11 Years]

3 **Resolution authorizing settlement of unlitigated claims on behalf of the City and**
4 **County of San Francisco and the People of the State of California against The Kroger**
5 **Co. for abatement funds in the range of \$1,300,000 to \$3,400,000 to be paid over 11**
6 **years; the claims relate to The Kroger Co.'s allegedly improper and unlawful**
7 **dispensing of prescription opioids at its pharmacies, which contributed to the epidemic**
8 **of opioid abuse and misuse and caused a public nuisance.**

9
10 WHEREAS, The Kroger Co. and several States have agreed to a national settlement
11 agreement that resolves numerous governments' claims against The Kroger Co. for its
12 allegedly improper and unlawful dispensing of prescription opioids at its pharmacies, which
13 contributed to the epidemic of opioid abuse and misuse and caused a public nuisance; and

14 WHEREAS, San Francisco has not filed a lawsuit against The Kroger Co., but may
15 participate in the The Kroger Co. national settlement agreement by releasing potential claims
16 against The Kroger Co. relating to its dispensing of prescription opioids in exchange for
17 payments totaling approximately \$1,300,000 to \$3,400,000; and

18 WHEREAS, The City Attorney has recommended settlement by releasing potential
19 claims against The Kroger Co. relating to its dispensing of prescription opioids in exchange for
20 the payment of abatement funds from The Kroger Co. to San Francisco, in an amount
21 estimated to be approximately \$1,300,000 to \$3,400,000 over the next 11 years: now,
22 therefore, be it

23 RESOLVED, That pursuant to Charter, Section 6.102(5), and Administrative Code,
24 Section 10.24(b), the Board of Supervisors hereby authorizes the City Attorney to settle
25 potential claims against The Kroger Co. relating to its dispensing of prescription opioids by the

1 payment of abatement funds from The Kroger Co. to San Francisco, in an amount estimated
2 to be approximately \$1,300,000 to \$3,400,000 over the next 11 years.

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APPROVED:

DAVID CHIU
City Attorney

/s/
SARA J. EISENBERG
Chief of Complex and Affirmative Litigation

RECOMMENDED:

City Attorney's Office

/s/
DAVID CHIU
City Attorney

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