

File No. 220819

Committee Item No. _____

Board Item No. 60

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: July 19, 2022

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| ☐ | ☐ | Motion |
| ☐ | ☐ | Resolution |
| ☐ | ☒ | Ordinance |
| ☐ | ☐ | Legislative Digest |
| ☐ | ☐ | Budget and Legislative Analyst Report |
| ☐ | ☐ | Youth Commission Report |
| ☐ | ☒ | Introduction Form |
| ☐ | ☐ | Department/Agency Cover Letter and/or Report |
| ☐ | ☐ | MOU |
| ☐ | ☐ | Grant Information Form |
| ☐ | ☐ | Grant Budget |
| ☐ | ☐ | Subcontract Budget |
| ☐ | ☐ | Contract/Agreement |
| ☐ | ☐ | Form 126 – Ethics Commission |
| ☐ | ☐ | Award Letter |
| ☐ | ☐ | Application |
| ☐ | ☐ | Public Correspondence |

OTHER

- | | | |
|--------------------------|-------------------------------------|--|
| ☐ | ☒ | Presidential Action Memo - 30 Day Waiver - 7/14/22 |
| ☐ | ☐ | _____ |
| ☐ | ☐ | _____ |
| ☐ | ☐ | _____ |
| ☐ | ☐ | _____ |
| ☐ | ☐ | _____ |
| ☐ | ☐ | _____ |
| ☐ | ☐ | _____ |

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
q:\images\190034 opioid mdl\working file\jhgc\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

PRESIDENTIAL ACTION

Date: 7/14/2022

To: Angela Calvillo, Clerk of the Board of Supervisors

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)

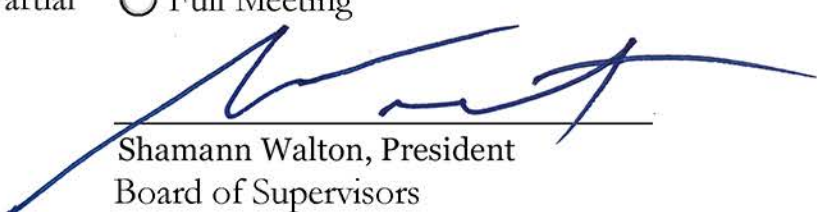
(Committee)

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