

1 [Committee of the Whole - Closed Session - Settlement of Lawsuit - Endo Health Solutions
2 Inc., Endo Pharmaceuticals Inc., Par Pharmaceutical, Inc. and Par Pharmaceutical
Companies, Inc. - City to Receive \$10,000,000 - July 19, 2022, at 3:00 p.m.]

3
4 **Motion scheduling the Board of Supervisors to sit as a Committee of the Whole at the**
5 **meeting on July 19, 2022, at 3:00 p.m. to hold a public hearing to consider the**
6 **proposed ordinance (File No. 220819) endorsing partial settlement of the lawsuit filed**
7 **on behalf of the City and County of San Francisco and the People of the State of**
8 **California against manufacturers and distributors of prescription opioids, entitled The**
9 **City and County of San Francisco and the People of the State of California v. Purdue**
10 **Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A.**
11 **Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler,**
12 **Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes**
13 **Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva**
14 **Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo**
15 **Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc.,**
16 **Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc F/K/A Actavis Plc, Watson**
17 **Pharmaceuticals, Inc. N/K/A Actavis, Inc., Watson Laboratories, Inc., Actavis LLC,**
18 **Actavis Pharma, Inc. F/K/A/ Watson Pharma, Inc., AmerisourceBergen Corporation,**
19 **Cardinal Health, Inc., and McKesson Corporation; and scheduling a closed session of**
20 **the Board of Supervisors at the same meeting for the purpose of conferring with, or**
21 **receiving advice from, the City Attorney regarding that existing litigation in which the**
22 **City is a plaintiff, pursuant to California Government Code, Section 54956.9(a), and San**
23 **Francisco Administrative Code, Section 67.10(d)(1).**

1 MOVED, That the Board of Supervisors convene as a Committee of the Whole on July
2 19, 2022, at 3:00 p.m., to hold a public hearing on the proposed ordinance (File No. 220819)
3 endorsing partial settlement of the lawsuit filed on behalf of the City and County of San
4 Francisco and the People of the State of California against manufacturers and distributors of
5 prescription opioids, entitled The City and County of San Francisco and the People of the
6 State of California v. Purdue Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer
7 D.A. Sackler, Kathe A. Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler,
8 David A. Sackler, Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes
9 Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva
10 Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo
11 Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc., Mallinckrodt
12 Plc, Mallinckrodt LLC, Allergan Plc F/K/A Actavis Plc, Watson Pharmaceuticals, Inc. N/K/A
13 Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis Pharma, Inc. F/K/A/ Watson
14 Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson
15 Corporation; and, be it

16 FURTHER MOVED, That the Board of Supervisors convene in closed session on July
17 19, 2022, for the purpose of conferring with, or receiving advice from, the City Attorney
18 regarding the existing litigation filed on December 18, 2018, in the United States District Court
19 for the Northern District of California, Case No. 3:18-cv-7591-CRB-JSC, alleging that the
20 Endo defendants created a public nuisance and violated the Unfair Competition Law by falsely
21 and misleadingly marketing opioids as safer than they actually are and distributing
22 increasingly large volumes of opioids in and around San Francisco despite knowledge of the
23 growing epidemic caused by opioid misuse, and by failing to prevent and report suspicious
24 opioid orders as required by state and federal law; California Government Code, Section
25 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), permit this closed

1 session because discussion in open session concerning this matter would likely and
2 unavoidably prejudice the position of the City in the existing litigation.

3

n:\govern\as2022\9690021\01614014.docx

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25