

1 [Calling from Committee - Committee of the Whole and Closed Session - Settlement of  
2 Lawsuit - AmerisourceBergen Corp., Cardinal Health, Inc., and McKesson Corp. - City to  
3 Receive \$27 Million to \$50 Million - November 2, 2021, at 3:00 p.m.]

4 **Motion calling from the Government Audit and Oversight Committee, pursuant to**  
5 **Board Rule 3.37, the proposed Ordinance (File No. 211071) endorsing settlement of the**  
6 **lawsuit filed on behalf of the City and County of San Francisco and the People of the**  
7 **State of California against large distributors of prescription opioids, entitled The City**  
8 **and County of San Francisco and the People of the State of California v. Purdue**  
9 **Pharma L.P., Richard S. Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A.**  
10 **Sackler, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler,**  
11 **Trust for the Benefit of Members of the Raymond Sackler Family, Rhodes**  
12 **Pharmaceuticals L.P., Cephalon, Inc., Teva Pharmaceutical Industries Ltd., Teva**  
13 **Pharmaceuticals USA, Inc., Endo International Plc, Endo Health Solutions Inc., Endo**  
14 **Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys Therapeutics, Inc.,**  
15 **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; scheduling the Board of Supervisors  
19 to sit as a Committee of the Whole at the meeting on November 2, 2021, at 3:00 p.m. to  
20 hold a public hearing to consider the proposed Ordinance; and scheduling a closed  
21 session of the Board of Supervisors at the same meeting for the purpose of conferring  
22 with, or receiving advice from, the City Attorney regarding that existing litigation in  
23 which the City is a plaintiff, pursuant to California Government Code, Section  
24 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1).**

1            MOVED, That under Rule 3.37 of the Board’s Rules of Order, the Board hereby orders  
2 that the proposed Ordinance (File No. 211071) endorsing settlement of the lawsuit filed on  
3 behalf of the City and County of San Francisco and the People of the State of California  
4 against large distributors of prescription opioids, entitled The City and County of San  
5 Francisco and the People of the State of California v. Purdue Pharma L.P., Richard S.  
6 Sackler, Jonathan D. Sackler, Mortimer D.A. Sackler, Kathe A. Sackler, Ilene Sackler  
7 Lefcourt, Beverly Sackler, Theresa Sackler, David A. Sackler, Trust for the Benefit of  
8 Members of the Raymond Sackler Family, Rhodes Pharmaceuticals L.P., Cephalon, Inc.,  
9 Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., Endo International Plc,  
10 Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Janssen Pharmaceuticals, Inc., Insys  
11 Therapeutics, Inc., Mallinckrodt Plc, Mallinckrodt LLC, Allergan Plc F/K/A Actavis Plc, Watson  
12 Pharmaceuticals, Inc. N/K/A Actavis, Inc., Watson Laboratories, Inc., Actavis LLC, Actavis  
13 Pharma, Inc. F/K/A/ Watson Pharma, Inc., AmerisourceBergen Corporation, Cardinal Health,  
14 Inc., and McKesson Corporation, be called from the Government Audit and Oversight  
15 Committee and be returned to the Board of Supervisors at the regular Board of Supervisors  
16 meeting on November 2, 2021; and, be it

17            FURTHER MOVED, That the Board of Supervisors convene as a Committee of the  
18 Whole on November 2, 2021, at 3:00 p.m., to hold a public hearing on the proposed  
19 ordinance; and, be it

20            FURTHER MOVED, That the Board of Supervisors convene in closed session on  
21 November 2, 2021, for the purpose of conferring with, or receiving advice from, the City  
22 Attorney regarding the existing litigation filed on December 18, 2018, in the United States  
23 District Court for the Northern District of California, Case No. 3:18-cv-7591-CRB-JSC, alleging  
24 that AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation  
25 created a public nuisance and violated the Unfair Competition Law and the False Advertising

1 Laws by distributing increasing large volumes of opioids in and around San Francisco despite  
2 knowledge of the growing epidemic caused by opioid misuse, and by failing to prevent and  
3 report suspicious opioid orders as required by state and federal law; California Government  
4 Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1),  
5 permit this closed session because discussion in open session concerning this matter would  
6 likely and unavoidably prejudice the position of the City in the existing litigation.

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