

**RESOLUTION OF THE MECKLENBURG BOARD OF COUNTY COMMISSIONERS
AUTHORIZING PARTICIPATION IN THE NEW KROGER COMPANY NATIONAL OPIOID
SETTLEMENT AGREEMENT**

WHEREAS, Mecklenburg County, along with several counties and municipalities in North Carolina joined with thousands of local governments across the country to file lawsuits against opioid manufacturers and pharmaceutical distribution companies and chain drug stores to hold those companies accountable for their misconduct; and

WHEREAS, settlements have been reached in litigation against Walmart, Inc., Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Allergan Limited, CVS Health Corporation, CVS Pharmacy, Inc., and Walgreen Co., as well as their subsidiaries, affiliates, officers, and directors named in the these Settlements; and

WHEREAS, a proposed new nationwide settlement agreement has been reached with Kroger Company and the County has the opportunity to opt-in and participate in the new settlement agreement, or not; and

WHEREAS, this agreement would resolve the legal claims of states and local political subdivisions against the regional supermarket pharmacy Kroger Co. related to alleged misconduct related to opioids, and

WHEREAS, The Settlement requires Kroger Co. to pay over a billion dollars to abate the opioid epidemic. Of this amount, approximately \$1.2 billion will be used by participating states and subdivisions to remediate and abate the impacts of the opioid crisis, and

WHEREAS, depending on participation by states and subdivisions, the Settlement requires payments over eleven years after its effective date. The Settlement also contains injunctive relief governing opioid dispensing practices and requires Kroger Co. to implement safeguards to prevent diversion of prescription opioids, and

WHEREAS, the proposed settlement has two key participation steps.: first, each eligible state decides whether to participate in each Settlement, and second, eligible subdivisions within each participating state must decide whether to participate in the Settlement. The more subdivisions that participate, the more funds flow to that state and its subdivisions. If the state does not participate, the subdivisions in that state are not eligible to participate in the Settlement. North Carolina is a participating state.

NOW, THEREFORE BE IT RESOLVED, Mecklenburg County does hereby authorized participation in the Kroger Company settlement agreement and authorizes the County Manager or County Attorney to execute any and all documents necessary effectuate the same and provide such documents to the Implementation Administrator.

Adopted this the _____ day of June 2024.

George Dunlap, Chair
Mecklenburg County Board of Commissioners

ATTEST:

Kristine Smith, Clerk to the Board

(SEAL)