

**RESOLUTION REGARDING THE CLASS ACTION NATIONAL
PRESCRIPTION OPIOID LITIGATION**

WHEREAS, Polk County Board of Supervisors previously voted against (5 in favor and 6 against) Resolution 12-18 in February of 2018, that would have allowed Polk County to participate in the National Opioid Litigation as a Plaintiff;

WHEREAS, notice of right exclude the County as a class-action member in the United States District Court, Northern District of Ohio in *In re National Prescription Opiate Litigation, MDL 2804* was received by the County in early October (note: this is different than the litigation contemplated in Resolution 12-18 and is not being litigated by the attorneys contemplated in Resolution 12-18);

WHEREAS, based upon Resolution 12-18, the County Administrator and the County Board Chair opted out of the class-action lawsuit;

WHEREAS, the County has until November 22, 2019 to determine whether the County wants to ultimately opt in our out of the Ohio class-action lawsuit;

WHEREAS, it is believed more information regarding the lawsuit is available than what was known in February of 2018, including that Polk County is the only county out of 72 counties in Wisconsin, that has not agreed to join the class-action lawsuit;

WHEREAS, many of the concerns in the WHEREAS clauses of Resolution 12-18 still exist or have been exacerbated by the opioid epidemic;

NOW THEREFORE BE IT RESOLVED, that the Polk County Board of Supervisors directs the County Administrator to rescind the letter opting out of the litigation before the November 22, 2019 deadline.

BY: _____

Brad Olson, Supervisor, District #1

Doug Route, Supervisor, District #2

Dean Johansen, Chair
Supervisor, District #3,


Chris Nelson, Supervisor, District #4

Tracy LaBlanc, Supervisor, District #5

Brian Masters, Supervisor, District #6

James Edgell, Supervisor, District #8

Kim O'Connell, Supervisor, District #9

Larry Jepsen, Supervisor, District #10

Jay Luke, 1st Vice Chair,
Supervisor, District #11

Michael Larsen, Supervisor, District #12

Russell Arcand, Supervisor, District #13

Michael Prichard, Supervisor, District #7

John Bonneprise, 2nd Vice Chair,
Supervisor, District #14

Joe Demulling, Supervisor, District #15

County Administrator's Note:

This is a Policy decision and ~~would need a 2/3 majority to bring it to the floor as it has not been addressed by a committee.~~



Malia Malone
Interim County Administrator

Fiscal Impact Note:

This Resolution has no immediate financial impact, but does allow for a potential receivable depending upon the outcome of the underlying litigation.



Maggie Wickre, Finance Director

Approved as to Form and Execution:



Joseph Loso, Corporation Counsel

Legal Impact Note:

Given that this is new litigation that differs from the litigation contemplated in Resolution 12-18, it is not necessary to rescind 12-18 in order to pass this Resolution.

Excerpt of Minutes

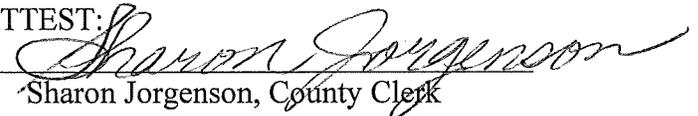
- 33 At its regular business meeting on the 12 of November 2019, the Polk County
34 Board of Supervisors acted upon Resolution No. 52 -19: Resolution

35 RESOLUTION REGARDING THE CLASS ACTION NATIONAL
36 PRESCRIPTION OPIOID LITIGATION

- Adopted by a majority of the members present by a vote of _____ in favor and _____ against.
- Adopted by unanimous voice vote.
- Adopted as amended. See Below.
- Defeated
- Other:

Insert amendment to resolution according to minutes:

SIGNED BY: 
Dean Johansen, County Board Chairperson

ATTEST: 
Sharon Jorgenson, County Clerk

Executive Summary

This Resolution reverses the policy decision from February 2018 and would allow the County to participate in the Ohio lawsuit and share in any award given by the Federal Court in the plaintiffs' class.

CERTIFIED COPY OF POLK COUNTY RESOLUTION

STATE OF WISCONSIN

COUNTY OF POLK

I Sharon E. Jorgenson, Polk County Clerk do hereby certify that the attached hereto and incorporated herein is a full, true and correct copy of Resolution No. 52-19: Resolution Regarding the Class Action National Prescription Opioid Litigation adopted by the Polk County Board of Supervisors at its regular business meeting held on November 12, 2019.


Sharon E. Jorgenson 11/12/19

Sharon E. Jorgenson, Polk County Clerk

Date