

RESOLUTION OF THE HARRISONBURG CITY APPROVING OF THE CITY'S
PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS
AGAINST KROGER AND ITS RELATED CORPORATE ENTITIES, AND RATIFYING
THE EXECUTION OF ALL DOCUMENTS NECESSARY TO EFFECTUATE THE CITY'S
PARTICIPATION IN THE SETTLEMENT

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its counties and cities, including the City of Harrisonburg, by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by Harrisonburg's various departments and agencies; and

WHEREAS, the Commonwealth of Virginia and its counties and cities, including Harrisonburg, have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of the Commonwealth and Harrisonburg; and

WHEREAS, a settlement proposal has been negotiated that will cause Kroger to pay over a billion dollars nationwide to resolve opioid-related claims against it; and

WHEREAS, the City has approved and adopted the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding (the "Virginia MOU"), and affirms that this pending settlement with Kroger shall be considered a "Settlement" that is subject to the Virginia MOU, and shall be administered and allocated in the same manner as the opioid settlements entered into previously with opioid distributors McKesson, Cardinal Health, and AmerisourceBergen, opioid manufacturers Janssen Pharmaceuticals, Teva Pharmaceuticals, and Allergan, and retail pharmacy chains CVS, Walgreens, and Walmart;

WHEREAS, the City Attorney has reviewed the available information about the proposed settlement and has recommended that the City participate in the settlement in order to recover its share of the funds that the settlement would provide;

NOW, THEREFORE, BE IT RESOLVED that the Harrisonburg City Council, this 13th day of August 2024, approves of the City's participation in the proposed settlement of opioid-related claims against Kroger and its related corporate entities, and ratifies the execution of all documents necessary to effectuate the City's participation in the settlement, including the required release of claims against Kroger.

Adopted this 13th of August, 2024

MAYOR

ATTEST:

CITY CLERK