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December 31, 2019

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Commissioners, Brevard County Board of Commissioners
2725 Judge Fran Jamieson Way
Viera, Florida 32940

RE: Brevard County Opioid Matter
In re Insys Therapeutics, Inc., et al – Chapter 11
Case No. 19-11292

Dear Commissioners:

This letter involves the bankruptcy of the opioid manufacturer Insys Therapeutics, Inc. Insys markets a drug called Subsys, which is a form of fentanyl. Brevard County named Insys as a defendant in its opioid lawsuit.

Insys filed bankruptcy in June of 2019. The Plaintiff Executive Committee has hired bankruptcy counsel from the law firm of Brown Rudnick, LLP to represent the interests of governmental entities with pending opioid claims during the Insys bankruptcy proceedings.

PERSONAL INJURY

WRONGFUL DEATH

WORKERS'
COMPENSATION

ADMIRALTY &
MARITIME

NURSING HOME
ABUSE

On December 4, 2019, Insys filed its Second Amended Joint Chapter 11 Plan of Liquidation. I have reviewed the plan and discussed the plan with Brevard County's outside counsel in the opioid litigation: Matthew Mokwa (The Maher Law Firm); Paulina do Amaral (Lieff, Cabraser, Heimann & Bernstein); and Mark Dearman (Robbins Geller Rudman & Dowd). I have also discussed the plan with bankruptcy counsel from Brown Rudnick, LLP. **Our recommendation is that Brevard County vote in favor of the plan.** Brevard County's vote can be submitted electronically and is due by January 10 at 5:00 pm.

It is important to note that Insys has very limited cash assets and significant liabilities. Accordingly, we do not expect a significant financial recovery from the bankruptcy. Nevertheless, we believe the plan is favorable to all governmental entities and confirmation is important.

Sincerely,

Stephen G. Charpentier, Esq.

cc: Christine M Schverak, Esq.
Paulina do Amaral, Esq.
Matthew Mokwa, Esq.
Mark Dearman, Esq.
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