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RE: Opioid Litigation

Dear Sir or Madam:

My name is John Guard and I am the Chief Deputy Attorney General for the State of Florida (the "State"). Since she took office, Attorney General Moody has been heavily involved in leading both the State's ongoing opioid litigation and several different negotiations with defendants in that litigation. As you are likely aware, Florida, thirteen other states, and litigation counsel representing counties and cities nationwide were able to reach two, multi-billion-dollar settlements. Since the announcement of those settlements, Attorney General Moody and attorneys general for the other leadership states have led a sign-on effort that saw forty-two states and six territories join that settlement.¹ We are now at the stage of the sign-on process where we must sign-on cities and counties, litigating and non-litigating, to see if participation is sufficient for the settlement to close.

From now until **January 2, 2022**, the State, litigation counsel, and others will likely be reaching out to you about this settlement. To make sure you, your administrator, your mayor or chair, and your commissioners have enough information about the settlement, the State has designed a webpage that has Florida specific information relating to the settlement. It can be found at <https://www.myfloridalegal.com/opioidsettlement>. The State website has state specific information including the amounts of money that your subdivision will receive under the settlement, the State MOU, the State Agreement, and other documents. In addition, litigation counsel for cities and counties has also created a website that has additional information on it as well. It can be found at <https://nationalopioidsettlement.com/>. In the next few days, you will receive by mail and e-mail a notice from the notice administrator if you are a county, a city with a population greater than 10,000 people, or a city with a population less than 10,000 people that is litigating against one or more of the settling defendants. That notice will have a unique identifier. For **subdivisions who receive a formal notice** (counties, cities more than 10,000 people, cities less than 10,000 people

¹ West Virginia previously settled its claims with the distributors. Oklahoma previously litigated to judgment its claims against Janssen and Johnson & Johnson.

who are litigating against these defendants) in order to participate in the settlement, you **must**:

First, go to the national settlement website, <https://nationalopioidsettlement.com/>, to register your county or city to receive in the coming weeks and months the documentation your subdivision will need to participate in the settlements.

Second, you must execute and submit all required documentation.

For **subdivisions who receive a formal notice** (counties, cities more than 10,000 people, cities less than 10,000 people who are litigating against these defendants) the required documentation will be submitted electronically utilizing the “DocuSign” service. In addition, we would ask you to print out your “DocuSign” participation documentation and upload it on Florida’s website. <https://www.myfloridalegal.com/opioidsettlement> . Once you reach the State’s webpage, click on the “learn more” button and follow the directions from there. As part of the registration process, your subdivision will need to identify, and provide the email address for, the individual who will be authorized to sign formal and binding documents on behalf of your subdivision.

For **subdivisions who do NOT receive a formal notice** (cities less than 10,000 people who are not litigating against these defendants), assuming the MOU is approved and the State Agreement is accepted, you may also join, but the process is slightly different. You **must**:

First, send an e-mail to fl.opioidlitigation@myfloridalegal.com and indicate that your city is interested in participating in the settlement. Please provide contact information where further information can be sent.

Second, you must execute and submit all required documentation, which will include Exhibit K from both settlement agreements, which is separately posted on the State’s webpage, <https://www.myfloridalegal.com/opioidsettlement>.

IF YOUR SUBDIVISION DOES NOT JOIN A SETTLEMENT BY JANUARY 2, 2022, IT WILL NOT RECEIVE ANY DIRECT BENEFIT FROM THAT SETTLEMENT UNLESS AND UNTIL IT JOINS AND SUBSEQUENTLY JOINING CITIES AND COUNTIES WILL LOSE OUT ON AMOUNTS PAID IN THE INTERIM.

NEXT STEPS

These settlements require that you take affirmative steps to 'opt in' to the settlements. If you do not act, you will not receive any settlement funds and you will not contribute to reaching the participation thresholds that will deliver maximum amount of abatement funds to your State.

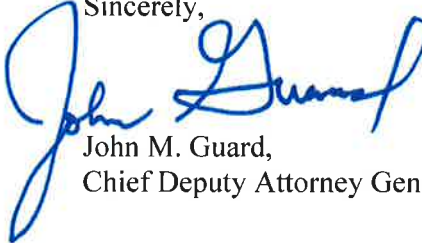
First, register your subdivision on either the national settlement website, if you receive formal notice, or by e-mail to the address above, if your city has less than 10,000 people. Registration will ensure that information and documents required to participate can be sent to you. You will need the email address of the person who will be authorized to sign on behalf of your subdivision. This is the only action item needed at this time.

Second, have whatever process that your county or city utilizes begin to review the materials on the websites concerning the settlement agreement terms, allocation and other matters. Develop a list of questions for your counsel or the Attorney General's Office. In the very near future, your subdivision will need to begin the process of deciding whether to participate in the proposed settlements and subdivisions are encouraged to work through this process well before the deadline to be an initial participating subdivision. Again, the Attorney General's Office, your counsel, and other contacts within the state are available to discuss the specifics of the settlements within your state and we encourage you to discuss the terms and benefits of the settlements with them.

Third, monitor your email for further communications, which will include a Participation Agreement, Release, (where applicable) a model Resolution, and instructions on executing using DocuSign, if applicable.

We urge you to view the national settlement website and the Florida website at your earliest convenience. If you have questions for Florida Office of Attorney General please send an e-mail to fl.opioidlitigation@myfloridalegal.com. Like we have done at every stage of this process, we will be scheduling calls to answer your and your commissioners' and administrators' questions. We will have multiple calls and ask your help in ensuring that the Sunshine Law is complied with.

Sincerely,



John M. Guard,
Chief Deputy Attorney General