

October 20, 2020
Special Business Meeting
Jefferson County Board of Education

RESOLUTION OF THE JEFFERSON COUNTY
BOARD OF EDUCATION
RE: PARTICIPATION IN OPIOID LITIGATION

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WHEREAS this Board of Education is aware that since the 1990s the pharmaceutical industry has manufactured, distributed, and marketed a variety of opioid pain medications for general use in the treatment of chronic pain conditions, resulting in such medication being the most widely distributed drugs in United States history; and

WHEREAS the manufacture, distribution and marketing of these opioid drugs has resulted in catastrophic, widespread consequences for the people of this nation, including addiction, overdoses, developmental disabilities in children, death, and major expenditures of money; and

WHEREAS the Board of Education believes that the school districts of this nation, including this school district, have suffered significant damages as a result of this national opioid epidemic, including expenditures of public funds to address the impact of this epidemic on students, teachers, other staff, and the taxpayers of this district; and

WHEREAS a number of other school districts have filed or will be filing legal claims as part of Multi-District Litigation (“MDL”) for the purpose of pretrial proceedings, including potential settlements of claims, and are seeking to become class representatives in the MDL and in an effort to be part of the proposed negotiations class seeking compensation for the impact of this epidemic on the named school districts.

NOW THEREFORE the Board of Education of Jefferson County hereby authorizes the following:

1. That this Board of Education hereby elects to file claims in the MDL and to join the class action lawsuit settlement class in order to recoup damages inflicted by the opioid epidemic.
2. That this Board of Education appoints the following law firms to represent its interests in the lawsuit:
 - a. Hughes, Socol, Piers, Resnick & Dym (Chicago, Illinois)
 - b. Mehri & Skalet (Washington, D.C.)
 - c. Henrichsen Law Group (Washington, D.C.)
 - d. Terrell Hogan (Jacksonville, Florida)
 - e. Hendy Johnson Vaughn Emery (Louisville, Kentucky)
3. That this Board of Education directs the Superintendent and the Administrative staff to cooperate with the appointed attorneys to gather the necessary data and take other required actions necessary to assist the law firms in representing the interests of this District.
4. That the District will expend no funds for its participation in this litigation, other than the personnel time necessary to gather data necessary to participate in the litigation.

NOW, therefore, be it resolved by the JCBE that it authorizes attorney Ronald Johnson, and his law firm, Hendy Johnson Vaughn & Emery of Louisville Kentucky to file a civil action against any appropriate parties to compensate JCPS for damages suffered by JCPS, and its students, as a result of the manufacture, marketing, sale and use of opioid pain medication products, and to seek any other appropriate relief; including injunctive relief. The JCBE further authorizes the superintendent to sign all necessary contracts and other related documents on behalf of JCPS in the pursuit of any civil action.

Adopted on October 20, 2020 by the Jefferson County Board of Education.

Diane Porter
Board Chair

Dr. Martin Pollio
Superintendent