



# Dakota County

## Legislation Details (With Text)

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**Type:** Regular Action      **Status:** Passed

**File created:** 7/1/2024      **In control:** Board of Commissioners

**On agenda:** 7/9/2024      **Final action:** 7/9/2024

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**Title:** Approval Of Legal Strategy In National Prescription Opiate Litigation

**Sponsors:** Office Of The County Manager

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
7/9/2024	1	Board of Commissioners	approved	Pass

**DEPARTMENT:** Office of the County Manager

**FILE TYPE:** Regular Action

### TITLE

**Approval Of Legal Strategy In National Prescription Opiate Litigation**

### PURPOSE/ACTION REQUESTED

Hold a closed executive session.

### SUMMARY

The Dakota County Attorney has advised that prior to closing a County Board meeting, pursuant to the Open Meeting Law, Minn. Stat. Ch. 13D, the County Board must resolve by majority vote to close the meeting.

### RECOMMENDATION

The County Manager has recommended that a closed executive session be held pursuant to attorney-client privilege during the Dakota County Board meeting of July 9, 2024, to discuss the following:

- the legal strategy related to the opioid drug crisis and litigation options available to the Dakota County.

### EXPLANATION OF FISCAL/FTE IMPACTS

Fiscal impact will be discussed in closed session.

- None     
  Current budget     
  Other  
 Amendment Requested     
  New FTE(s) requested

## RESOLUTION

WHEREAS, Dakota County is engaged in nationwide civil litigation against manufacturers and distributors of prescription opioids, pharmacies and other parties related to the opioid crisis; and

WHEREAS, Dakota County's complaint, along with all others, were consolidated into a multi-district litigation tract assigned to Judge Polster in the Northern District of Ohio, In Re National Prescription Opiate Litigation, MDL 2804, Case No. 1:17-md-2804; and

WHEREAS, Judge Polster granted leave for the plaintiffs to bring a motion to amend their complaints to assert claims against pharmacy benefit managers and other potential defendants not currently named in the complaints; and

WHEREAS, the County Attorney's Office provided legal advice to the County Board in a confidential memorandum dated July 5, 2024; and

WHEREAS, after reviewing the information contained in the confidential memorandum, the County Board determined a closed session discussion with the Dakota County Attorney's Office was not required prior to providing direction on this matter.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Attorney's Office to proceed with the proposed legal strategy as set forth in the confidential memorandum provided to the Board.

## PREVIOUS BOARD ACTION

None.

## ATTACHMENTS

Attachment: None.

## BOARD GOALS

- |   |  |
|---|--|
| <input type="checkbox"/> A Great Place to Live                    | <input type="checkbox"/> A Healthy Environment                   |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

## PUBLIC ENGAGEMENT LEVEL

- |  |                                  |                                  |   |
|--|----------------------------------|----------------------------------|---|
| <input type="checkbox"/> Inform and Listen | <input type="checkbox"/> Discuss | <input type="checkbox"/> Involve | <input checked="" type="checkbox"/> N/A |
|--|----------------------------------|----------------------------------|---|

## CONTACT

Department Head: Tom Novak

Author: Jeni Reynolds