



Dakota County

Legislation Text

File #: DC-3590, Version: 1

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

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