

**RESOLUTION NO.:** 2017-R72  
**SPONSOR:** MAYOR NEUGEBAUER  
**INTRODUCED:** NOVEMBER 14, 2017 **ASSIGNED TO:** \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH MOTLEY RICE LLC, NEALON & ASSOCIATES, P.C., RAFFELLI & PRAZAK, ATTORNEYS AT LAW, AND BRENNAN MANNA & DIAMOND, LLC FOR PURPOSES OF PROVIDING SPECIALIZED LEGAL COUNSEL TO PURSUE LITIGATION RELATED TO THE SALE OF OPIOIDS, AND DECLARING AN EMERGENCY.**

WHEREAS, the City desires to engage specialized legal counsel, in conjunction with Summit County, the City of Akron, the City of Barberton, Summit County Public Health, and other local political subdivisions as necessary, to investigate, litigate, or negotiate for settlement, actionable claims that may be pursued by the City against individuals and entities related to the marketing, prescribing, distribution, or sale of opioids.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:**

**SECTION ONE:**

Pursuant to the City of Green's Codified Ordinance Section 210.08, the Mayor be, and hereby is, authorized to enter into an agreement between the City and Motley Rice LLC, Nealon & Associates, P.C., Raffaelli & Prazak, Attorneys at Law, and Brennan Manna & Diamond, LLC (the "Firms") to provide legal counsel services, to investigate, litigate, or negotiate for settlement, actionable claims that may be pursued by the City against individuals and entities related to the marketing, prescribing, distribution, or sale of opioids.

**SECTION TWO:**

That the expense herein authorized for legal counsel services provided by the Firms shall be based on a contingency fee structure as contractually agreed to by the parties and approved by the Mayor. No fees shall be paid to the Firms for said services until and unless a monetary settlement is first obtained on the City's behalf and approved by Council.

**SECTION THREE:**

That the Firms will report directly to the Law Director.

**SECTION FOUR:**

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

**SECTION FIVE:**

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety, and welfare of the citizens of Green and for the further reason that the legal services may commence as soon as possible. Provided that this legislation receives the affirmative vote of three-fourths ( $\frac{3}{4}$ ths) of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: \_\_\_\_\_

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Chris Humphrey, Council President

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Molly Kapeluck, Clerk

APPROVED: \_\_\_\_\_, 2017

\_\_\_\_\_  
Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: \_\_\_\_\_, 2017

ON ROLL CALL:	Ahlstrom Speight	Dyer Summerville	Humphrey Young	Knodel
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*Suburbanite* publication on \_\_\_\_\_ and \_\_\_\_\_

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Molly Kapeluck, Clerk