

RESOLUTION NO: 2025-R64
SPONSOR: MAYOR YEARGIN
PRESENTED BY: LAW DIRECTOR DEAN
INTRODUCED: NOVEMBER 10, 2025 **ASSIGN TO:** _____

A RESOLUTION TO RELEASE A CERTAIN NAMED DEFENDANT FROM THE MULTIDISTRICT LITIGATION “IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION” APPROVED BY GREEN CITY COUNCIL, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Green is a member of a class of government opiate claimants that would be entitled to participate in a global settlement of the National Prescription Opiate Litigation without the necessity of filing a separate lawsuit; and

WHEREAS, on August 24, 2021, the City of Green agreed to participate in the One Ohio Memorandum of Understanding to facilitate settlement of National Prescription Opiate Litigation in coordination with the State of Ohio and its subdivisions; and

WHEREAS, on April 12, 2022, Green City Council authorized the Mayor to participate in the Settlement Agreement with the National Prescription Opiate Litigation in the Multidistrict Litigation (“MDL”) coordination with the State of Ohio and its subdivisions; and

WHEREAS, the City of Green has been advised by its national legal counsel, Motley Rice, that it is in the City’s best interest to dismiss Henry Schein as a named defendant in the MDL, that the City does not have an actionable claim against Henry Schein for the reason that his company’s market share is less than .03% (a fact which was learned during discovery), and that dismissing the claim against Henry Schein will avoid adverse rulings or sanctions against the City of Green; and

WHEREAS, the Administration requests first reading passage to submit approval of the release of Defendant Henry Schein in a timely manner in response to the MDL Court’s instructions to work timely through dismissals, resolutions, or trials on all claims.

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

SECTION ONE:

Green City Council hereby approves the release of Henry Schein as a named defendant in the MDL in the National Prescription Opiate Litigation, as recommended by its national legal counsel, Motley Rice.

SECTION TWO:

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 an open meeting of this Council and any deliberations of this Council and any of its committees that resulted in those formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION THREE:

Green City 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 further reason that the Participation Form must be signed immediately to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio. 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: _____, 2025

Nichole Messner, Clerk of Council

Jeff Noble, Council President

APPROVED: _____, 2025

Rocco Yeargin, Mayor

ENACTED EFFECTIVE: _____, 2025

ON ROLL CALL: Babbitt _____ DeVitis _____ Speight _____ Miller _____

Meager _____ Neugebauer _____ Noble _____

PUBLICATION CERTIFICATION

I, Nichole Messner, Clerk of Council of the City of Green, County of Summit and State of Ohio, whose custody the original files and records of said council are required to be kept by the laws of the State of Ohio, do hereby certify that the above legislation was duly published in the *Southside Leader* on _____ and _____, 2025.

Nichole M. Messner, Clerk of Council