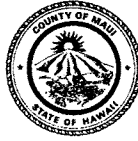


Council Chair  
Kelly T. King

Vice-Chair  
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore  
Tasha Kama

Councilmembers  
Riki Hokama  
Alice L. Lee  
Michael J. Molina  
Tamara Paltin  
Shane M. Sinenci  
Yuki Lei K. Sugimura



Director of Council Services  
Traci N. T. Fujita, Esq.

**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

November 1, 2019

The Honorable Kelly T. King  
Council Chair  
County of Maui  
Wailuku, Hawaii 96793

Dear Chair King:

**SUBJECT: LITIGATION AGAINST OPIOID MANUFACTURERS  
AND DISTRIBUTORS (GET-11(46))**

May I request the attached proposed resolution, entitled "OPTING OUT OF THE NEGOTIATION CLASS IN THE NATIONAL PRESCRIPTION OPIATE LITIGATION," be placed on the next Council meeting agenda.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Molina".

MICHAEL J. MOLINA, Chair  
Governance, Ethics, and Transparency  
Committee

get:ltr:011(46)amc01:dr

Enclosure

# Resolution

No. \_\_\_\_\_

## OPTING OUT OF THE NEGOTIATION CLASS IN THE NATIONAL PRESCRIPTION OPIATE LITIGATION

WHEREAS, the United States District Court for the Northern District of Ohio is overseeing the class-action case called In re National Prescription Opiate Litigation, as seen on the court's website: <https://www.ohnd.uscourts.gov/mdl-2804>; and

WHEREAS, the County of Maui is currently a member of the negotiation class and will be awarded damages under a court-approved order unless the County opts out of the class by submitting a completed Exclusion Request Form by November 22, 2019; and

WHEREAS, if the County opts out, it could bring its own case against opioid manufacturers and distributors and potentially recover more damages than it would be awarded as a member of the class; and

WHEREAS, the 2019-2021 Council has not yet met on the opioid litigation, including the possible employment of special counsel with specialized expertise; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it requests the Department of the Corporation Counsel submit a completed Exclusion Request Form by November 22, 2019, to have the County of Maui opt out of In re National Prescription Opiate Litigation;
2. That the Council intends to evaluate the possible employment of special counsel with specialized expertise to represent the County in the case, which would require the adoption of another resolution by a two-thirds vote; and

**Resolution No.** \_\_\_\_\_

3. That certified copies of this resolution be transmitted to the Mayor and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY

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Department of the Corporation Counsel  
County of Maui

get:misc:011(46)areso01:dr