

FILED
TERRI ROSS
COUNTY CLERK

2021 NOV -5 AM 10:20

UPSHUR COUNTY, TX.

BY [Signature]
DEPUTY

RESOLUTION

STATE OF TEXAS
COUNTY OF UPSHUR

BE IT REMEMBERED, at a regular meeting of the Commissioners Court of Upshur County, Texas, held on the, 5th day of Nov, 2021, on motion made by Gene Dulle Commissioner of Precinct 1 and seconded by Michael Ashley Commissioner of Precinct 3, the following Resolution was adopted:

WHEREAS, Upshur County obtained information indicating that certain drug companies and their corporate affiliates, parents, subsidiaries, and such other defendants as may be added to the litigation (collectively, "Defendants") have engaged in fraudulent and/or reckless marketing and/or distribution of opioids that have resulted in addictions and overdoses; and

WHEREAS, these actions, conduct and misconduct have resulted in significant financial costs to the County; and

WHEREAS, the County brought claims against defendants in the opioid supply chain on behalf of the County, and

WHEREAS, on October 17, 2021, Janssen and the Johnson & Johnson defendants in the opioid litigation brought by the County, the State of Texas, through the Office of the Attorney General, and a negotiation group for Texas political subdivisions entered into an Agreement entitled Janssen Texas State-Wide Opioid Settlement Agreement and Term Sheet (hereafter, the Janssen Settlement). The Janssen Settlement is attached hereto as Exhibit "1"; and

WHEREAS, Special Counsel and the State of Texas have recommended that the Upshur County Commissioners Court support the adoption and approval the Janssen Settlement in its entirety.

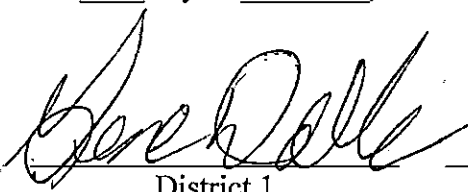
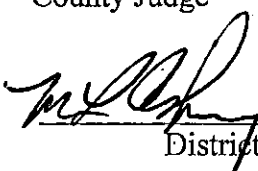
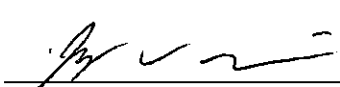
NOW, THEREFORE, BE IT RESOLVED that we, the Commissioners Court of Upshur County:

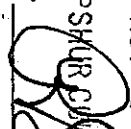
1. Support the adoption and approval the Janssen Settlement in its entirety; and
2. Authorize County and Special Counsel to execute the Release at Exhibit A of the Janssen Settlement; and
3. Finds as follows:

a. There is a substantial need for repayment of opioid-related expenditures and payment to abate opioid-related harms in and about Upshur County; and

b. The County Commissioners Court supports in its entirety the Janssen Settlement. The County Commissioners Court understands that the purpose of this Settlement to effectuate resolution of the Opioid Litigation against Janssen entities. We also understand that an additional purpose is to ensure the effective means of distributing any potential settlement funds obtained under this Janssen Settlement in Texas and under the jurisdiction of Texas Courts in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic in this County and throughout Texas.

DONE IN OPEN COURT on this the 5th day of Nov, 2021.

<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> County Judge	 <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> District 1	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> District 2
 <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> District 3	 <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> District 4	

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TEXAS SUBDIVISION ELECTION AND RELEASE FORM

This Election and Release Form for Texas Participating Subdivisions resolves opioid-related Claims against Janssen under the terms and conditions set forth in the Janssen Texas State Wide Opioid Settlement Agreement between Janssen, the State of Texas, and the Counties of Dallas and Bexar (the "Agreement"), the provisions of which are here incorporated by reference in their entirety. Upon executing this Election and Release Form, a Participating Subdivision agrees that, in exchange for the consideration described in the Agreement, the Participating Subdivision is bound by all the terms and conditions of the Agreement, including but not limited to the Release found in Section VII of the Agreement and the provisions concerning participation by Subdivisions in Section VIII, and the Participating Subdivision and its signatories expressly represent and warrant on behalf of themselves that they have, or will have obtained on or before the Effective Date or on or before the execution of this Election and Release Form if executed after the Effective Date, the authority to settle and release, to the maximum extent of the Subdivision's power, all Released Claims related to Covered Conduct. If this Election and Release Form is executed on or before the Initial Participation Date, the Participating Subdivision shall dismiss Janssen and all other Released Entities with prejudice from all pending cases in which the Participating Subdivision has asserted Covered Claims against Janssen or a Released Entity no later than the Initial Participation Date. If this Election and Release Form is executed after the Initial Participation Date, the Participating Subdivision shall dismiss Janssen and all other Released Entities with prejudice from all pending cases in which the Participating Subdivision has asserted Covered Claims against Janssen or a Released Entity concurrently with the execution of this form. By executing this Election and Release Form, the Participating Subdivision submits to

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the jurisdiction of the Court where the Consent Judgment is filed for purposes limited to that Court's role under the Agreement.


Dated: 11-5-2021

COUNTY OF UPSHUR, TEXAS

By: 

Mr. Billy Byrd
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Upshur County Justice Center
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Gilmer, Texas 75644
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Counsel for Upshur County, Texas

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