

## **(PROPOSED) CLASS ACTION NOTICE**

### **To: all Cities and Counties in the United States as listed at [www.opioidsnegotiationclass.com](http://www.opioidsnegotiationclass.com)**

- The Court in In re National Prescription Opiates Litigation, MDL No. 2804 (N.D. Ohio), has been asked to certify a voluntary “Negotiation Class” (“Class”) comprised of cities and counties nationwide under Rule 23(b)(3), solely to consider and vote on any future settlement offers made to the Class by defendants. The purpose of the Class is to unify cities and counties into a single negotiating entity to maximize their bargaining power, and to provide finality to the Opioid litigation for settling defendants.
- The Class is defined as: **all counties, parishes, and boroughs (collectively, “counties”); and all incorporated places, including without limitation cities, towns, villages, and municipalities, as defined by the United States Census Bureau (collectively “cities”); as listed on the Opioids Negotiation Class website, [www.opioidsnegotiationclass.com](http://www.opioidsnegotiationclass.com).** (“Class website”)
- For complete information on the Class, the settlement allocation formulae, the class certification motion and Order, the list of included class members, the supermajority voting process to be used by the Class in accepting or rejecting any class settlement offer, and a map and calculator for determining your allocation of any proposed settlement, go to [www.opioidsnegotiationclass.com](http://www.opioidsnegotiationclass.com). Important information on the Opioids-related litigation, including all pertinent Orders and Schedules, and Frequently Asked Questions, will be available on the website on an ongoing and current basis.
- You do not need to have a lawsuit on file to be part of this Class. This Class action will not decide any claims or defenses in opioids litigation, for or against any party, on the merits. It is certified as a Negotiation Class only, to facilitate class members’ approval or rejection of prospective proposed settlements. There are no pending proposed settlements at this time.
- The Class representatives are [subject to final selection]: (1) County of Albany, New York; (2) City of Atlanta, Georgia; (3) Bergen County, New Jersey; (4) Broward County, Florida; (5) Camden County, New Jersey; (6) Cass County, North Dakota; (7) City of Chicago, Illinois; (8) Cobb County, Georgia; (9) Cumberland County, Maine; (10) Cuyahoga County, Ohio; (11) City of Delray Beach, Florida; (12) Denver, Colorado; (13) City of Baton Rouge/East Baton Rouge Parish, Louisiana; (14) Escambia County, Florida; (15) Essex County, New Jersey; (16) Franklin County, Ohio; (17) County of Gooding, Idaho; (18) City of Grand Forks, North Dakota; (19) County of Jefferson, Alabama; (20) Jersey City, New Jersey; (21) Kanawha County, West Virginia; (22) King County, Washington; (23) City of Los Angeles; (24) City of Louisville/Jefferson County, Kentucky (25) City of Lowell, Massachusetts; (26) City of Manchester, New Hampshire; (27) Maricopa County, Arizona; (28) Mecklenburg County, North Carolina; (29) Milwaukee County, Wisconsin; (30) The Metropolitan Government of Nashville and Davidson County, Tennessee; (31) Monterey County, California (32) County of Palm Beach, Florida; (33) Phoenix, Arizona; (34) Prince Georges County, Maryland; (35) Riverside County, California; (36) City of Saint Paul, Minnesota; (37) City and County of San Francisco, California; (38) County of Tulsa, Oklahoma; and (39) Wayne County, Michigan.
- The Class counsel are: Plaintiffs’ Co-lead Counsel, Liaison Counsel, and the members of the Plaintiffs’ Executive Committee previously appointed by the Court, as listed on the Class website.
- Class members may exclude themselves from (“opt-out” of) the Class by having an authorized officer or employee sign and email a notarized exclusion request to [email address] no later than [date/time], 2019 that states “I [your official entity name] wish to exclude myself from the Negotiation Class.” Otherwise, you will remain a Class member, with all the rights and benefits of class membership, including the right to participate in any settlement approved by the Negotiation Class and the court, as explained in detail at [www.opioidsnegotiationclass.com](http://www.opioidsnegotiationclass.com). The *pro rata* share of any settlement funds payable at the county level may be pre-determined by utilizing the allocation map and calculator at [www.opioidsnegotiationclass.com](http://www.opioidsnegotiationclass.com). As a Class member, you have the right to vote on any

settlement proposed to the Negotiation Class. Classwide approval will be determined by supermajority votes of 75% of the voting class members, by number, population, and allocation, by litigating and non-litigating entities. The Class will be bound by any settlement its supermajority and the Court approve. Those who exclude themselves from the Class cannot vote on, will not be paid under, and will not be bound by, any class settlement. Those who remain in the Class will receive direct notice of any and all proposed settlements and on the voting procedures and deadlines for each.

- Class representatives and Class counsel will represent the Class in negotiations with defendants who choose to do so. You may enter an appearance through an attorney if you desire. Class Membership does not eliminate existing agreements with individual counsel. The procedure for payment of class/common benefit attorneys' fees/costs in connection with any Class settlement must be approved by the Court. Details of the proposed options and procedures for fees and costs are posted on the Class website.
- The Court will hold a hearing on whether to confirm the Negotiation Class on September \_\_, 2019. You may, but need not, attend.