

**A RESOLUTION AND ORDER OF THE
CLAY COUNTY COMMISSIONERS COURT – OPIOID LITIGATION**

WHEREAS, Clay County has heretofore determined that claims should be made against certain pharmaceutical-related entities for violating the Texas Controlled Substances Act, and other violations of the law in the fraudulent and/or reckless marketing and distribution of opioids that have resulted in addictions and overdoses from the sales of highly addictive opioid-derived painkillers for purposes that are neither safe nor effective; and

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

WHEREAS, Clay County engaged the legal services of special counsel to commence litigation in relation to the Opioid epidemic in Clay County; and

WHEREAS, the State of Texas, through the Office of the Attorney General, and a negotiation group for Texas political subdivisions entered into an Agreement entitled Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet (hereafter, the **TEXAS TERM SHEET**) determining the allocation of any and all opioid settlement funds within the State of Texas. The Texas Term Sheet is incorporated herein by reference; and

WHEREAS, 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 Settlement Term Sheet (hereafter, the **J&J TEXAS SETTLEMENT AGREEMENT AND TERM SHEET**). The J&J Texas Settlement Agreement and Term Sheet is incorporated herein in its entirety by reference and is attached hereto as Exhibit "A"; and

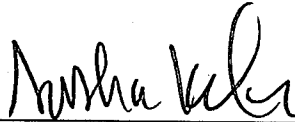
WHEREAS, Clay County has further determined that it is in the best interest of the County and its citizens that the County enter into certain state-wide agreements and certain settlement agreements with certain parties and that the interests of Clay County would be best served by entering into these agreements.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE COMMISSIONERS COURT OF CLAY COUNTY, TEXAS THAT, the Commissioners Court makes the following findings and orders:

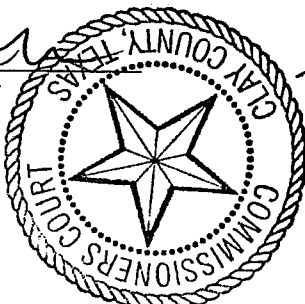
1. That the findings and declarations contained in this Resolution are incorporated herein as part of this Resolution.
2. That Clay County approves and adopts the terms of the **TEXAS TERM SHEET** and the **J&J TEXAS SETTLEMENT AGREEMENT AND TERM SHEET**.
3. That Clay County, by and through its County Judge and their special counsel are hereby authorized to execute on behalf of Clay County the **J&J TEXAS SETTLEMENT AGREEMENT AND TERM SHEET**.

RESOLVED and ORDERED on the 8th day of NOVEMBER, 2021.

Attest:



Clay County Clerk or Deputy





CLAY COUNTY JUDGE

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

CLAY COUNTY, TEXAS



Mike Campbell, County Judge

By: _____

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Dated: _____

Counsel for CLAY COUNTY, TEXAS