

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # 03-09-22-A Election to Participate in the J&J Settlement and the Big 3 Distributors' Settlement

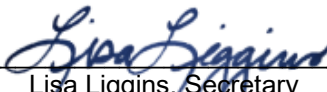
- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Native American population has suffered some of the worst consequences of the opioid epidemic of any population in the United States. Tribal governments have had to spend considerable tribal funds to cover the costs of the opioid crisis, including increased costs for health care, social services, child welfare, law enforcement and other government services; and,
- WHEREAS,** over 400 federally recognized tribes filed litigation against the opioid manufacturers, distributors, pharmacies, all of which these tribal plaintiffs maintain are responsible for the opioid crisis; and,
- WHEREAS,** on February 1, 2022, the court-appointed Tribal Leadership Committee ("TLC") announced comprehensive settlements of opioid claims asserted in cases filed by the tribes against Janssen/Johnson & Johnson ("J&J") and against the three major distributors of opioid pharmaceuticals - McKesson, Amerisource Bergen and Cardinal Health ("Big 3 Distributors"); and,
- WHEREAS,** J&J has agreed to resolve the Tribal claims for \$150,000,000, payable over two years and the Big 3 Distributors have agreed to resolve the tribal claims for \$439,964,500 payable over six and a half years; and,
- WHEREAS,** the Settlements only go into effect if certain participation thresholds are reached; and,
- WHEREAS,** under the terms of the Settlements, each tribal entity has the right to determine which approved opioid abatement uses are best for the tribal entity and each tribal entity has the right to meaningfully participate in the final allocation process and a right to be heard prior to entry of the final allocation order; and
- WHEREAS,** the Oneida Business Committee is aware of and has reviewed the terms of the J&J Settlement and the Big 3 Distributors' Settlement and elects to participate in the Settlements; and,

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee. in order to obtain and in consideration for the benefits provided to the Oneida Nation pursuant to the Settlement Term Sheets, and acting through the authorized law firm, SKIKOS CRAWFORD SKIKOS & JOSEPH, LLP, hereby elects to participate in the J&J Settlement and the Big 3 Distributors' Settlement and become a Participating Tribe as defined therein, and release all Released Claims against all Released Entities as defined therein and authorizes the Chairman to sign related documents upon receipt of a satisfactory legal review from the Oneida Law Office.

BE FINALLY RESOLVED, that SKIKOS CRAWFORD SKIKOS & JOSEPH, LLP is authorized to submit the Tribal Participation Forms attached to this Resolution as Exhibit C and Exhibit D on behalf of the Oneida Nation.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 6 members were present at a meeting duly called, noticed and held on the 9th day of March, 2022; that the forgoing resolution was duly adopted at such meeting by a vote of 5 members for, 0 members against, and 0 members not voting*; and that said resolution has not been rescinded or amended in any way.



Lisa Liggins, Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."