

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # 09-27-23-C

Election to Participate in the Settlement with McKinsey & Company, Inc. and Authorization of the Oneida Nation's Opioid Litigation Counsel to Submit Tribal Participation Forms and other Documents on behalf of the Oneida Nation

- 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, and 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 governmental services; and
- WHEREAS,** the Oneida Nation and other federally recognized Tribes filed litigation against McKinsey & Company, Inc., a management consultant firm, for its role in promoting the distribution and sale of opioids; and
- WHEREAS,** in return for a comprehensive release of claims, McKinsey & Company, Inc., will pay approximately \$39.5 Million to the Tribes in one lump sum payment (the Settlement); and
- WHEREAS,** the Settlement will only go into effect if McKinsey & Company, Inc., deems that there is a sufficient amount of participation by Tribes in the Settlement; and
- WHEREAS,** under the terms of the Settlement, each Tribe has the right to determine which approved opioid abatement uses are best for the Tribe; and
- WHEREAS,** the Oneida Nation is aware of and has reviewed the terms of the Settlement Agreement and elects to participate in the Settlement.

NOW THEREFORE BE IT RESOLVED, that the Oneida Nation, in order to obtain and in consideration of the benefits provided to the Oneida Nation pursuant to the Settlement Agreement, and acting through the authorized law firm, LEVIN, PAPANTONIO, RAFFERTY, PROCTOR, BUCHANAN, O'BRIEN, BARR & MOUGEY, P.A., hereby elects to participate in the Settlement and become a Participating Tribe as defined therein and release all Released Claims against all Released Entities as defined therein.

BE IT FURTHER RESOLVED, that LEVIN, PAPANTONIO, RAFFERTY, PROCTOR, BUCHANAN, O'BRIEN, BARR & MOUGEY, P.A., is authorized to submit the Tribal Participation Form attached to this Resolution on behalf of the Oneida Nation.

BE IT FINALLY RESOLVED, that LEVIN, PAPANTONIO, RAFFERTY, PROCTOR, BUCHANAN, O'BRIEN, BARR & MOUGEY, P.A., is authorized to submit such other documents on behalf of the Oneida Nation as may be necessary to enter into and finalize the Settlement.

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 27th day of September, 2023; 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."