

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A SETTLEMENT AGREEMENT WITH GIANT EAGLE, AND DECLARING AN EMERGENCY

WHEREAS, the Village is a named plaintiff in the captioned case *City of Barberton, et al., v. Purdue Pharma, L.P.*, Case No. 1:18-op-45767 which was filed against Giant Eagle and other parties in the Northern District of Ohio; and

WHEREAS, the parties to the litigation have negotiated a settlement to avoid the delay, uncertainty, inconvenience, and expense of protracted litigation of the alleged claims; and

WHEREAS, Council determines that acceptance of the material terms of the proposed Settlement Agreement with Giant Eagle is in the best interests of the Village and its residents and hereby authorizes and directs the Mayor and Director of Finance to execute the Settlement Agreement on behalf of the Village.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Richfield, County of Summit, State of Ohio that:

- SECTION 1. The Council hereby accepts, the material terms of the Settlement Agreement with Giant Eagle on behalf of the Village of Richfield and hereby authorizes and directs the Mayor and Director of Finance to execute the Settlement Agreement with Giant Eagle substantially in accordance with the agreement attached hereto and expressly incorporated herein as Exhibit "A" subject to final approval from the Director of Law.
- SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.
- SECTION 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the residents of the Village of Richfield and for the purpose of ensuring prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 3-15-2022

Robbie Basham
President of Council

Michael Wheeler
Mayor

Dated: 3/16/2022

ATTEST
[Signature]
Clerk of Council