

Opioid Settlements Webinar

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**Presentation by the New Jersey Attorney General's Office
for the New Jersey State League of Municipalities**

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Purpose

- ▶ Opioid Distributors and J&J Settlements will yield up to \$26 billion for states and subdivisions nationwide.
- ▶ **January 2, 2022** deadline for subdivisions to register and sign on to settlement agreements.
 - ▶ Sign-on needed to maximize share of settlement funds.
 - ▶ January 2, 2022 is a Sunday.
- ▶ Presentation will explain how to register and sign on to the settlement agreements.

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Opioid Settlements Overview

- ▶ Two settlement agreements reached after 3 years of negotiations.
 - ▶ Distributors: McKesson, Cardinal Health and AmerisourceBergen
 - ▶ Janssen Pharmaceuticals, and its parent company Johnson & Johnson (“J&J”)
- ▶ The full text of the Distributors and J&J Settlement Agreements and their Exhibits are publicly available at nationalopioidsettlement.com.

Implementation of Settlement Agreements

- ▶ A “critical mass” of both state and local governments must opt in by January 2, 2022.
 - ▶ The State of New Jersey has already opted into both settlements.
- ▶ This deadline for subdivisions to opt-in is fast approaching.
- ▶ Local government participation levels affect how much money New Jersey subdivisions and the State will receive from both settlements.
- ▶ **MORE SUBDIVISION PARTICIPATION = MORE MONEY TO NEW JERSEY SUBDIVISIONS AND THE STATE**

Settlement Numbers

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- ▶ **Up to \$26 billion nationwide** split into three categories: (i) abatement, (ii) attorneys' fees, and (iii) additional restitution amount.
- ▶ New Jersey's allocation of the abatement bucket is 2.755%.
- ▶ Maximum abatement payment for New Jersey: **~\$628 million**
 - ▶ ~\$511 million from Distributors
 - ▶ ~\$117 million from J&J
- ▶ To receive the maximum abatement payment, all subdivisions on Exhibit G must sign onto both agreements.
 - ▶ 262 subdivisions on Exhibit G=litigating and/or with population of 10,000 or more
 - ▶ 4 types of incentive payments: A, B,C, and D

Opting Into the Settlement Agreements

- ▶ Two separate settlements: Distributors & J&J
- ▶ Two-step process for opting in
 - ▶ Step 1: Registration
 - ▶ Step 2: Signing on to both settlement agreements
- ▶ Both registration and sign-on must be completed by January 2, 2022 to maximize the recovery for New Jersey subdivisions and the State.

STEP 1

Registration (1 of 4)

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- ▶ Register on the national settlement website <https://nationalopioidsettlement.com>
- ▶ Click on Yellow link:

National Opioid Settlement

[HOME](#) [EXECUTIVE SUMMARY](#) [EXPLANATORY CHARTS](#) [DISTRIBUTOR SETTLEMENT AGREEMENT](#) [J&J SETTLEMENT AGREEMENT](#) [SETTLEM](#)

This site will be supplemented and updated as new information becomes available.

National Opioids Settlement

[Update: Subdivisions Register Here to Receive Participation Agreements for Distributor and Janssen Settlement Agreements](#)

[Please use Google Chrome, Microsoft Edge, or another Modern Browser]

On Wednesday, July 21, 2021, the National Prescription Opiate Litigation MDL Plaintiffs' Executive Committee, several State Attorneys General, and four major defendants announced agreement on terms of proposed nationwide settlements to resolve all Opioids litigation

STEP 1

Registration (2 of 4)

- ▶ Select State and enter subdivision's unique registration code.

Subdivisions Register Here to Receive Participation Agreements for Distributor and Janssen Settlement Agreements

Step 1: Verify Registration Code

Select your state, enter your Subdivision's unique registration code, and click "Verify Registration Code"

State

Registration Code

- ▶ Unique registration code sent by Notice Administrator to subdivisions on Exhibit G.
 - ▶ Exhibit G includes subdivisions that are litigating and/or have populations of 10,000 or more.
 - ▶ Contact OpioidSettlements@njoag.gov for help with registration codes.

STEP 1

Registration (3 of 4)

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- ▶ Populate the requested information.

Fill in the information for the person authorized to sign the settlement documents for your Political Subdivision and click "Submit"

First Name	Last Name
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Note: Please provide the email address that the person who will be signing regularly uses for their government work

Email

Street Address

Suite (optional)

City	State	Zip
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Phone Number (000) 000-0000

STEP 1

Registration (4 of 4)

- ▶ Before clicking “submit” and completing the registration process, you will have the option of receiving a participation form via DocuSign or Paper Signature.

Will your political subdivision be executing your settlement participation form via DocuSign or paper signature?

DocuSign paper signature

Type the name of the person submitting this form

Name

Submit

STEP 2: SIGN ON

DocuSign Option Selected (1 of 2)

- ▶ Within 24 hours of registering, you should receive two emails from the National Opioids Settlement Administrator from a DocuSign.net email address.
 - ▶ The subject of the first email will be: **National Opioids Settlement: Participation Form and Deadline(Janssen)**
 - ▶ The subject of the second email will be: **National Opioids Settlement: Participation Form and Deadline (Distributor)**

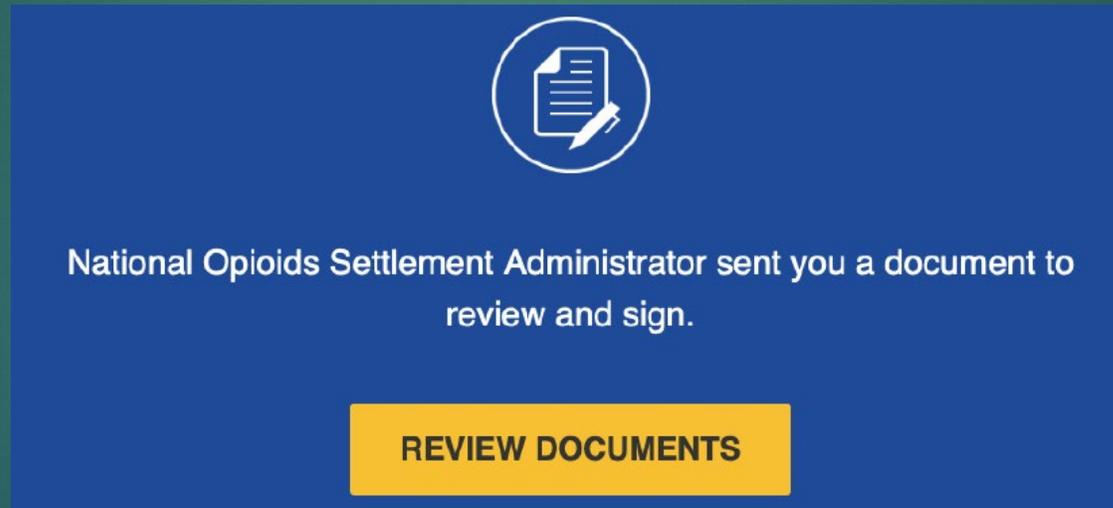
STEP 2: SIGN ON

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DocuSign Option Selected (2 of 2)

► Process

1. Click into each email, one at a time.
2. Within each email, click on “REVIEW DOCUMENTS.”



3. Follow the instructions to complete and execute the participation forms.

STEP 2: SIGN ON

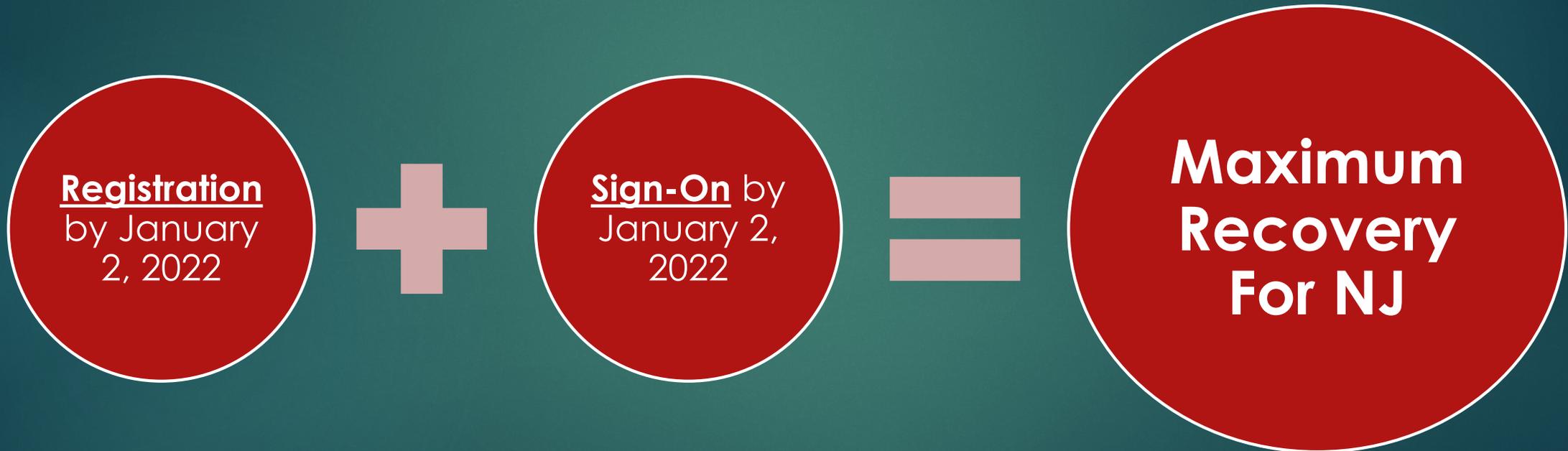
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Paper Signature Option Selected

- ▶ Requires more time for longer process.
- ▶ You should be emailed separate Participation Sign-On forms for each settlement agreement within 24-48 hours of registration.
 - ▶ Forms will be sent by the National Opioids Settlement Participation Coordinator at participation@nationalopioidsettlement.com
- ▶ Completed Participation Forms must be submitted electronically back to the National Opioids Settlement Participation Coordinator at participation@nationalopioidsettlement.com
- ▶ Both the notice vendor and our Office are monitoring subdivision sign-on and will try to alert a subdivision if it only signed one of the two settlement agreements.

January 2, 2022 Deadline for both Registration and Sign-On

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Registration in New Jersey Update

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- ▶ To date, 105 of 262 Subdivisions have registered.
 - ▶ Registration rate of 40%.
- ▶ If a subdivision does not register, it will not receive a participation form.

Participation in New Jersey Update

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- ▶ To date, 37 of 262 subdivisions have elected to participate in both settlement agreements.
 - ▶ Participation rate of 14%.
- ▶ Subdivisions that do not participate in these settlement agreements will not be eligible to directly receive any money from the settlements.
- ▶ The fewer subdivisions that participate, the less money that New Jersey subdivisions and the State receive.
- ▶ **MORE SUBDIVISION PARTICIPATION = MORE MONEY FOR NEW JERSEY SUBDIVISIONS AND THE STATE**

Questions & Follow-Up

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- ▶ If you have questions for the Office of the New Jersey Attorney General, please send an e-mail to OpioidSettlements@njoag.gov.