

Office of the Maine Attorney General
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Opioid Settlements and the Maine Recovery Council

April 27, 2023

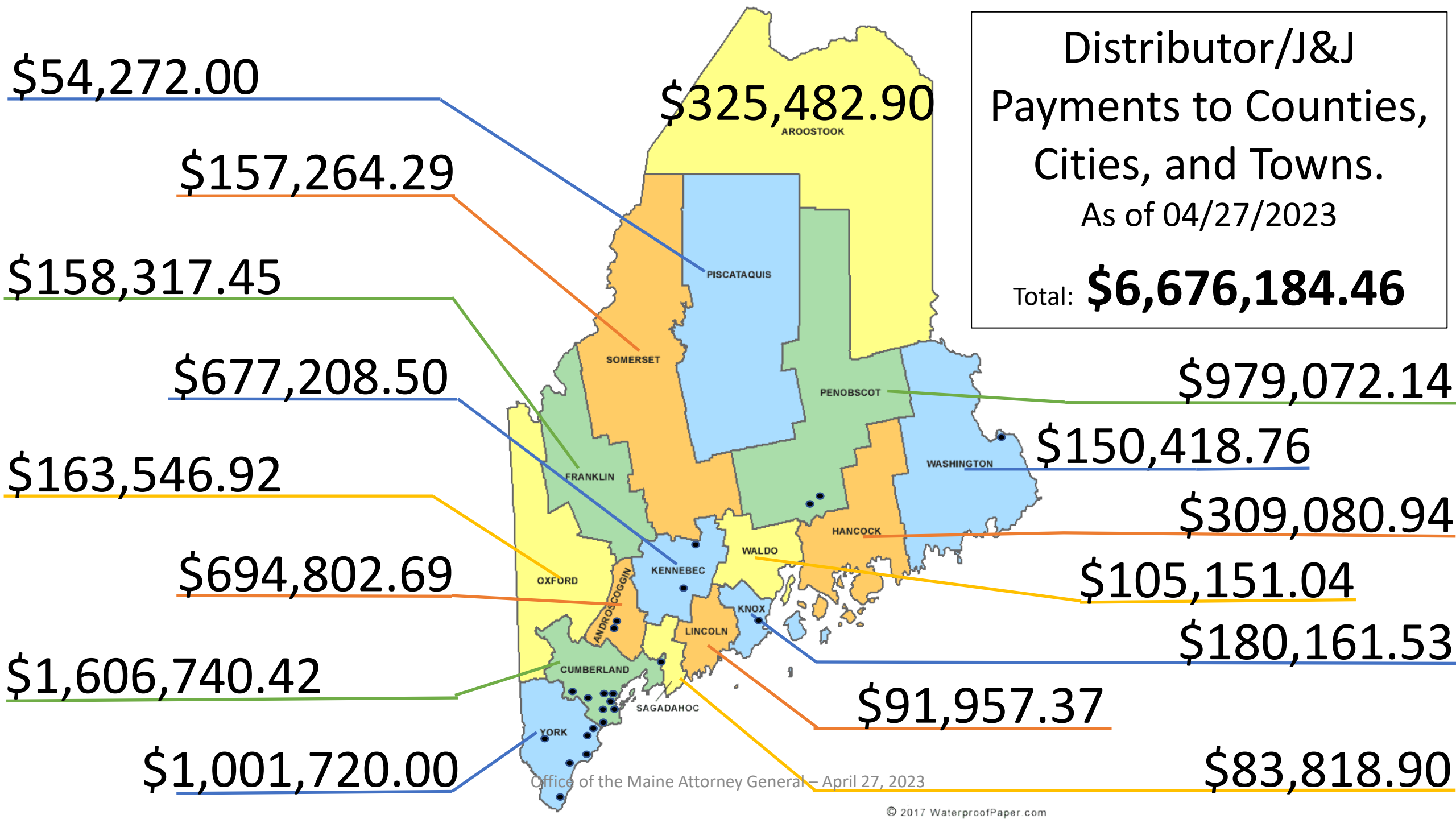
Opioid Litigation and Settlements

- Distributors and Johnson & Johnson (Janssen)
- Purdue Pharma and the Sackler family
- Mallinckrodt
- Endo
- 5 Settlements pending, subject to allocation agreement:
 - Manufacturers: Teva & Allergan
 - Pharmacies: CVS, Walgreens, Walmart

Recovery Fund

As of 03/31/2023

\$14,389,348.68



Opioid Settlement Payments

Estimated maximums - subject to increases or decreases

Estimates	Total	Recovery Council (50%)	Attorney General (20%)	Subdivisions (30%)	Attorney Fee Backstop (-7% from Subdivisions)	National Attorney Fee Funds
Distributors & J&J	\$131M	\$65.7M	\$26.3M	\$39.4M	(\$2.8M)	\$1.8B
Mallinckrodt	\$5.8M	\$2.9M	\$1.2M	\$1.7M		
Purdue						
*Walmart	\$14.2M	\$7M	\$2.8M	\$4.26M		\$298M
*Teva & Allergan	\$31.7M	\$15.9M	\$6.36M	\$9.5M		\$518M
*CVS & Walgreens	\$52.3M	\$26.1	\$10.4M	\$15.7M		\$1B
Total	\$235M	\$117.6M	\$47.1M	\$70.6M	(\$2.8M)	\$3.6B

* Pending. Reflects AG's proposed allocation, assuming 100% participation.

Payments

www.maine.gov/ag/opioids/settlement-payments

Distributors		18 years
J&J (Janssen)		9 years
Mallinckrodt		9 years
Purdue		
Walmart	(pending)	1-6 years
Teva & Allergan	(pending)	13 & 7 years
CVS	(pending)	10 years
Walgreens	(pending)	15 years

\$376,366.07

\$1,090,598.25

\$581,546.22

\$3,388,001.17

\$1,134,167.09

\$2,552,213.18

\$6,156,755.49

\$4,493,419.68

\$1,195,593.76

Estimated Max.
Payments from CVS,
Walgreens, Walmart, Allergan,
and Teva Settlements
Total: \$29,493,804.07
(Over 15 years, if 100% participation,
under AG's proposed allocaton)

\$3,596,417.89

\$1,043,125.77

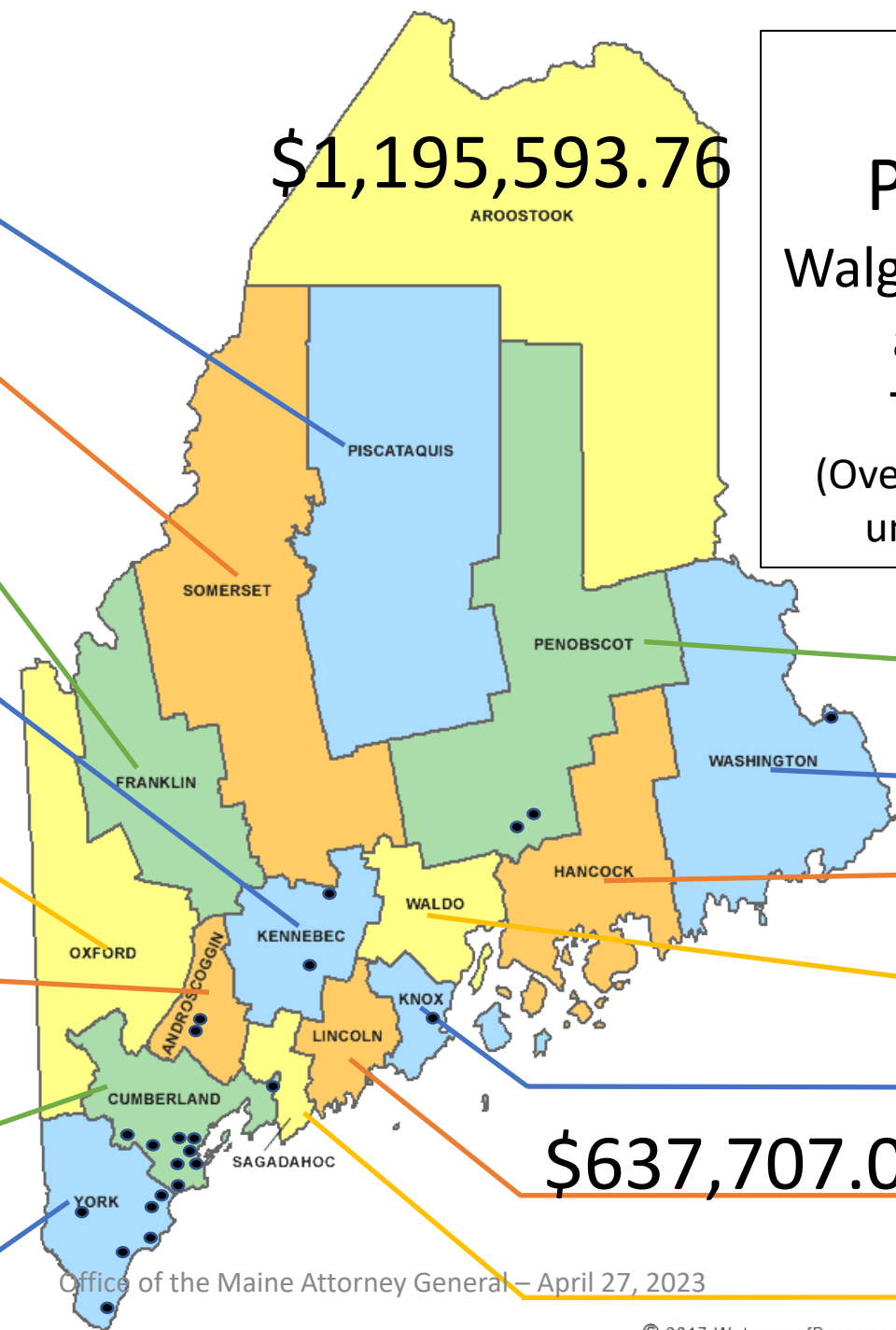
\$1,135,344.52

\$729,202.60

\$802,077.15

\$637,707.01

\$581,268.22



Upcoming Maine Payments in 2023

<https://www.maine.gov/ag/opioids/2023-opioid-settlements.html>

J&J (Janssen)	June 1	\$201,115.81
Distributors	July 15	\$5,625,421.24 (est.)
Teva	Summer or Fall	\$1,474,436.51 (est.)
Allergan	Summer or Fall	\$1,633,762.11 (est.)
Walmart	Summer or Fall	\$5,503,464.95 (est.)
CVS	Summer or Fall	\$1,818,130.00 (est.)
Walgreens	Summer or Fall	<u>\$2,103,340.90</u> (est.)
Total		\$18,359,671.52 (est.)

Council Core Functions

1. Needs Assessment, Planning, and Expenditures/Outcomes Data
2. Facilitate collaboration among State, Subdivisions, Stakeholders
3. Distribution Statewide of Maine Recovery Funds
4. Distribution Statewide of Maine Recovery Funds for Abatement-Related Special Education Programs and Services

2023 Opioid Settlements

- [2022-12-09 CVS Global Settlement Agreement with Exhibits \(PDF\)](#)
- [2022-12-09 Walgreens Multistate Agreement and Exhibits \(PDF\)](#)
- [Final Allergan Global Settlement Agreement and Exhibits 12.20.2022 \(PDF\)](#)
- [Final Teva Global Settlement Agreement and Exhibits 12.20.2022 \(PDF\)](#)
- [Walmart Settlement Agreement \(2022.12.02\) FINAL \(PDF\)](#)

Sign-on deadline is May 2.

FAQs

1. How will the new funds from the five new settlements – CVS, Walgreens, Walmart, Teva, and Allergan - be allocated within Maine?

The new funds will be allocated the same as with the existing National Opioid Settlement: 30% would be directly paid to eligible counties, cities, and towns in Maine. 50% would be allocated to the [Maine Recovery Fund](#) for statewide distribution, and 20% would be allocated to the Attorney General. All funds will need to be spent on opioid abatement activities as with the existing National Opioid Settlement, including prevention, harm reduction, treatment, and recovery programs.

A new draft [Memorandum of Understanding \(MOU\) \(PDF\)](#) allocating the new opioid settlement funds to subdivisions must be signed by the Attorney General and the litigating counties, cities, and towns ([ME Litigation Subdivisions \(PDF\)](#)). A separate draft [MOU with litigating Maine school districts may be found here \(PDF\)](#).

2. How much will my county, city, or town receive under the new settlements?

The settlements require all eligible subdivisions in Maine to participate for Maine to receive the maximum payments. If this happens, as it did with the existing National Opioid Settlement, Maine could receive nearly \$100 million in additional funds over 15 years – of which over \$14 million will be paid in 2023. [Estimates of the maximum payments to participating subdivisions under the new MOU may be found here \(PDF\)](#) and detailed [estimates of payments by year and by settlement may be found here \(PDF\)](#).

3. How will my county/city/town's attorney fees be paid?

The five new national settlements establish additional funds of over \$1.8 billion for attorney fees and costs for attorneys representing municipalities that join the settlements. The settlements [require attorneys who recover from those funds to waive enforcement of their contingency fee entitlements \(PDF\)](#) as to all of their clients and to notify their clients accordingly.

4. Over what time period will these new settlements be paid?

Together they will pay out over 15 years. By settlement, they will pay out as follows (assuming maximum participation by Maine's eligible counties, cities, and towns):

Walmart: 1 year
CVS: 10 years
Walgreens: 15 years
Teva: 13 years
Allergan: 7 years

5. How can my county/city/town participate in the settlement?

Each eligible subdivision in Maine will need to sign and return to the settlement administrator a participation form **by May 2**. The form is similar to the forms that subdivisions submitted for the National Opioid Settlement. The settlement administrator has emailed the forms to eligible subdivisions or their counsel, and a [sample of the forms may be found here \(PDF\)](#). If a county, city, or town needs their form or information about the sign-on process, its staff may contact the Attorney General's office at 207-626-8800.

6. Where can counties, cities, and towns find additional guidance about ways to use these funds to address the opioid crisis in Maine?

The Attorney General's Office has created a [website with resources](#) to help subdivisions learn more about the approved uses of the settlement funds, including public health-based principles, guides, and toolkits.

www.maine.gov/ag/recovery-council

info.recoverycouncil@maine.gov

www.maine.gov/ag/opioids