



STATE OF TEXAS

COUNTY OF HOPKINS

Consider and take action to approve Resolution for approval of bringing suit on behalf of Hopkins County, Texas, vs. various drug manufacturers, developers, suppliers and others of a class of pharmaceutical class of drugs commonly referred to as opioids and approval of Professional Services Agreement for Special Counsel.

WHEREAS, it reasonably appears from public information that there exists in Hopkins County an epidemic of opioid drug abuse created and/or fueled by misconduct of opioid manufacturers and distributors in their improper promotion and over-supply of those drugs, thus creating a public nuisance within Hopkins County; and

WHEREAS, Hopkins County is empowered by law to seek recompense for its expenditures to combat public nuisance; and

WHEREAS, enforcement of the law regarding public nuisance requires Hopkins County to institute civil legal proceedings requiring legal services, and the Hopkins County Commissioners Court finds as follows:

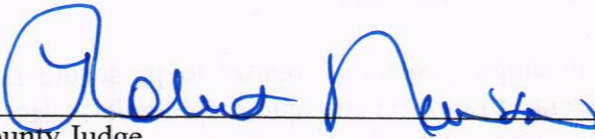
- (1) there is a substantial need for the legal services;
- (2) the legal services cannot be adequately performed by the attorneys and supporting personnel of Hopkins County or by the attorneys and supporting personnel of another governmental entity; and
- (3) the legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of the matter for which the services will be obtained and because Hopkins County does not have appropriated funds available to pay the estimated amounts required under a contract providing only for the payment of hourly fees; and

WHEREAS, Hopkins County is empowered to employ Special Counsel to prosecute lawful reimbursement of monies spent by Hopkins County to combat the opioid epidemic in Hopkins County and has selected the legal team of Simon Greenstone Panatier Bartlett, P.C. and Martin Walker, P.C. to serve as Special Counsel.

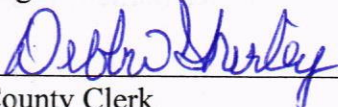
THEREFORE, BE IT HEREBY RESOLVED that:

1. The Commissioner's Court approves Resolution to bring suit on behalf of Hopkins County, Texas, versus various drug manufacturers, developers, suppliers and others of a class of pharmaceutical class of drugs commonly referred to as opioids and approval of Professional Services Agreement for Special Counsel.
2. The Commissioners Court selects the legal team of Simon Greenstone Panatier Bartlett, P.C. and Martin Walker, P.C. to serve as Special Counsel and approves and adopts the terms and conditions of employment of such counsel as set out in the attached Professional Services Agreement. Special Counsel will work under the oversight and approval of the Hopkins County District Attorney or County Attorney or her designee.
3. The Commissioners Court authorizes the District Attorney or County Attorney or her designee and Special Counsel to file such claims and litigation as Special Counsel deems necessary against various drug manufactures, developers, suppliers and others of a class of pharmaceutical class of drugs commonly referred to as opioids
4. The Hopkins County Judge or his designee is authorized to execute on behalf of Hopkins County an agreement with Special Counsel (hereinafter the "Agreement") containing terms and provisions substantially similar to those contained in the attached agreement because the Court finds that there is a substantial need for the legal services of Special Counsel which cannot adequately be performed by attorneys and supporting personnel of Hopkins County or another public agency, nor can the legal services reasonably be obtained from attorneys in private practice under a contract providing only for payment of hourly fees without regard to the outcome of the matter because of the nature of the representation.
5. All fees to be paid to Special Counsel are contingent upon the recovery of the penalties, attorneys' fees and costs as provided for in the Agreement and shall be paid only from such recovery and no money shall be due or paid from the General Fund or any special fund under the Agreement.
6. All Hopkins County officials and employees are authorized to do any and all things necessary or convenient to accomplish the purposes of this order.

THIS RESOLUTION WAS ADOPTED this 13 day of November, 2017, by Commissioners' Court of Hopkins County, Texas.



County Judge

Attested: 

County Clerk



STATE OF TEXAS §

COUNTY OF HOPKINS §

BE IT REMEMBERED on the 21st day of SEPTEMBER, 2017, there was conducted a **REGULAR** Public Meeting of the Honorable Commissioners' Court of Hopkins County, Texas, on the 1st Floor, Commissioners' Courtroom, in the Courthouse, 118 Church Street, City of Sulphur Springs, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same.

THE COURT MET AT:

9:04 A.M.

PRESENT:

ROBERT NEWSOM
COUNTY JUDGE

MICKY BARKER
COMMISSIONER, PRECINCT NO. 1

MIKE ODELL
COMMISSIONER, PRECINCT NO. 2

WADE BARTLEY
COMMISSIONER, PRECINCT NO. 3

DANNY EVANS
COMMISSIONER, PRECINCT NO. 4

LESLIE CANNON DEPUTY
COUNTY CLERK

ABSENT:

The meeting was called to order by Judge Robert Newsom. Wade Bartley offered an invocation and Judge Newsom asked Aaron Sears to lead the court and audience in reciting the Pledge of Allegiance to The American Flag & Texas Flag.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on SEPTEMBER 15th, 2017 at 2:50 P.M. Judge Newsom Declared A Quorum With All Members Being Present.

**RETENTION AGREEMENT WITH THE LAW FIRMS OF SIMON GREENSTONE
PANATIER BARTLETT PC AND MARTIN WALKER PC TO INVESTIGATE,
RESEARCH, PREPARE CLAIMS AND TO FILE LAWSUITS AGAINST
PHARMACEUTICAL COMPANIES REGARDING FRAUDULENT MARKETING AND
SALES OF CERTAIN ADDICTIVE OPIAT-DERIVED PAINKILLERS FOR PURPOSES
FOR WHICH THEY ARE NEITHER SAFE NOR EFFECTIVE**

Upon motion by Judge Newsom, seconded by Commissioner Bartley, and carried
unanimously, To Approve Entering In to A Retention Agreement, With The Law Firms Of,
Simon Greenstone Panatier Bartlett, P.C. And Martin Walker, P.C. A Copy Is Attached Hereto
And Made A Part Hereof. (Ex.4)

BUDGET AMENDMENTS AND LINE ITEM TRANSFERS.

NO ACTION TAKEN

BILLS, REVENUES AND EXPENSES AND FINANCIAL STATEMENTS

All Bills, Revenue, Expenses, And Financial Statements On File In The Office Of The
County Clerk Were Approved, Upon motion by Commissioner Bartley, seconded by
Commissioner Odell, and carried unanimously.

GRANTS

NO ACTION TAKEN

DONATIONS

NO ACTION TAKEN

RESOLUTIONS AND PROCLAMATIONS

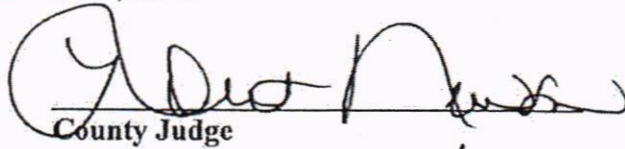
NATIONAL 4-H WEEK PROCLAMATION

Upon motion by Commissioner Barker, seconded by Commissioner Evans, and carried unanimously, To Approve A Proclamation Designating October 1-7, 2017 4-H Week. A Copy Is Attached Hereto And Made A Part Hereof. (Ex. 9)

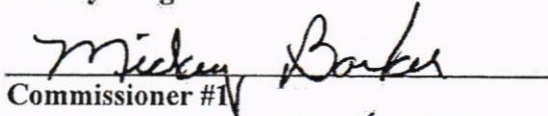
THE COURT TO ADJOURN

There being no further business to come before the Court, upon motion by Commissioner Bartley, seconded by Commissioner Odell, and carried unanimously, the meeting was **ADJOURNED AT 9:43 A.M.**

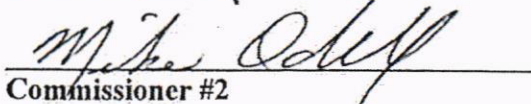
MINUTES APPROVED OCTOBER 9th, 2017:



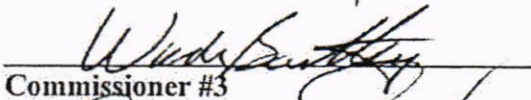
County Judge



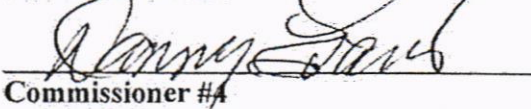
Commissioner #1



Commissioner #2




Commissioner #3



Commissioner #4



ATTEST:



County Clerk and Ex-Officio Clerk
Of the Commissioners' Court of Hopkins County, Texas