



WASHOE COUNTY

Integrity Communication Service

www.washoecounty.us

STAFF REPORT

BOARD MEETING DATE: August 19, 2025

DATE: Thursday, August 14, 2025

TO: Board of County Commissioners

FROM: Michael Large, Deputy District Attorney
(775) 337-5712, mlarge@da.washoecounty.gov

THROUGH: Nathan Edwards, Assistant District Attorney
(775) 337-5700, nedwards@da.washoecounty.gov

SUBJECT: Recommendation and possible action to approve settlement agreements between the State of Nevada and Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus in the opioid litigation; and execution by Washoe County of the "Subdivision Participation and Release Forms" pursuant to the One Nevada Agreement on Allocation of Opioid Recoveries ("One Nevada Agreement") previously agreed upon for participation in settlements (entered into on July 27, 2021).

The proposed settlement amounts between the State of Nevada and Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus are as follows: \$228,981.61 (Alvogen); \$1,532,740.47 (Amneal); \$780,619.14 (Apotex); \$1,298,988.31 (Hikma); \$895,350.32 (Indivior); \$3,622,867.87 (Mylan); \$379,901.33 (Sun); and \$182,144.47 (Zydus).

Washoe County expects to receive the following estimated amounts from the Settlements: \$8,787.01 (Alvogen); \$58,817.81 (Amneal); \$29,955.70 (Apotex); \$49,847.74 (Hikma); \$34,358.42 (Indivior); \$139,024.95 (Mylan); \$14,578.44 (Sun); and \$6,989.66 (Zydus).

District Attorney. (All Commission Districts.) FOR POSSIBLE ACTION.

SUMMARY

Staff recommends approval of the proposed settlement agreements between the State of Nevada and Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus, and execution of the Subdivision Participation and Release Forms attached hereto as Exhibit 1. Additionally, included as Exhibit 2 are the proposed allocation sheets for each settlement.

AGENDA ITEM # _____

This Board has previously authorized the initiation of litigation against various defendants related to damages incurred due to the opioid crisis. On July 27, 2021, this Board entered into the One Nevada Agreement which provides the allocation model for distribution of any monetary recovery from the defendants between all governmental entities within the state of Nevada.

Pursuant to WCC 65.240(5), the Board has sole authority to settle any claim or suit for damages in excess of \$24,999. Pursuant to litigation authority delegated to the County Manager or Board Chair pursuant to NRS 241.0357, authority is limited to \$150,000. It is expected this settlement will result in substantially more than these cutoffs. Accordingly, Board approval has been sought.

Washoe County Strategic Objective supported by this item: Stewardship of Our Community.

PREVIOUS ACTION

March 26, 2019 – the Board approved an agreement for legal services of Eglet Prince, LLP and Bradley, Drendel & Jeanney as outside counsel to represent the County against manufacturers, distributors and dispensers of opioid-based drugs, and to authorize the filing of actions against such entities. The agreement provided that outside counsel would receive Twenty-Five percent (25%) of the recovery.

July 24, 2020 – a Complaint was filed against numerous corporate defendants.

July 27, 2021 – the Board approved the One Nevada Agreement which provides the allocation model for distribution of any monetary recovery from the defendants between all governmental entities within the state of Nevada.

June 21, 2022 – the Board approved "Amendment No. 2 to One Nevada Agreement on Allocation of Opioid Recoveries" which allows the Nevada Attorney General's Office to divide the Recoveries in accordance with the percentages and terms of the One Nevada Agreement and remit payments to local governments and attorneys' fees to the appropriate counsel on behalf of the local governments. Recoveries means settlement payments totaling \$285,679,409.03 from opioids distributor defendants AmerisourceBergen Drug Corporation, Cardinal Health, and McKesson, and opioid manufacturer defendant Janssen/Johnson & Johnson to compensate for the effects of the nationwide opioid crisis.

February 21, 2023 – the Board approved the Settlement between the State of Nevada and Walmart in the amount of \$32,231,037.14 pursuant to the One Nevada Agreement.

April 25, 2023 – the Board approved the Settlement between the State of Nevada and Allergan in the amount of \$26,508,913.00 and between the State of Nevada and CVS in the amount of \$151,858,772.26 pursuant to the One Nevada Agreement.

September 12, 2023 – the Board approved the Settlement between the Teva and Walgreens and the State of Nevada in the amounts of \$193,985,662.29 and \$285,000.00 respectively pursuant to the One Nevada Agreement.

BACKGROUND

After the Board hired outside counsel to represent Washoe County in opioid-related litigation matters, a Complaint was filed in the Second Judicial District Court in case

number CV20-01142. Counsel has filed actions in state district court and claims in bankruptcy actions across the country. The agreement provided that outside counsel would receive Twenty-Five percent (25%) of the recovery and a reimbursement of actual costs expended. Outside counsel has filed suit on behalf of Washoe County, the State of Nevada, and other political subdivisions within the state. Those cases are proceeding, and several are being resolved in the bankruptcy courts.

In July 2021, Washoe County entered into the One Nevada Agreement Allocation of Opioid Recoveries approved by the Board in July 2021 with the State of Nevada and other participating political subdivisions. Under the One Nevada Agreement, Washoe County will receive (before deductions required but yet to be calculated): 6.841995% of the Local Government Allocation (making up 38.77% of the total allocation) and 14% of the Medicaid Match Allocation (17.37% of the total allocation). The consolidated bargaining power of the One Nevada Agreement allows outside counsel to engage in settlement discussions on behalf of the entire state of Nevada and the participating political subdivisions.

The parties by and through outside counsel have engaged in settlement discussions with certain opioid defendants. Tentative settlement agreements have been reached between the State of Nevada and Teva, the State of Nevada and Walgreens, and the State of Nevada and the Purdue Pharma and Sackler family. The proposed Subdivision Participation Forms allows Washoe County to be a party to these settlement agreements and resolve the claims against Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus.

The proposed settlement amounts between the State of Nevada and Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus are as follows: \$228,981.61 (Alvogen); \$1,532,740.47 (Amneal); \$780,619.14 (Apotex); \$1,298,988.31 (Hikma); \$895,350.32 (Indivior); \$3,622,867.87 (Mylan); \$379,901.33 (Sun); and \$182,144.47 (Zydus). Pursuant to the One Nevada Agreement, Exhibit D, local governments are allocated 38.77%, of which Washoe County is allocated 6.841995%.

After deduction of legal fees following gross allocation, Washoe County expects to receive the following estimated amounts from the Settlements: \$8,787.01 (Alvogen); \$58,817.81 (Amneal); \$29,955.70 (Apotex); \$49,847.74 (Hikma); \$34,358.42 (Indivior); \$139,024.95 (Mylan); \$14,578.44 (Sun); and \$6,989.66 (Zydus).

These settlements do not affect the ongoing litigation by Washoe County against the other defendants in the previously-filed actions.

FISCAL IMPACT

Pursuant to the settlement agreements with the State of Nevada and Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus, and after deduction of legal fees following gross allocation, Washoe County expects to receive the following estimated amounts from the Settlements: \$8,787.01 (Alvogen); \$58,817.81 (Amneal); \$29,955.70 (Apotex); \$49,847.74 (Hikma); \$34,358.42 (Indivior); \$139,024.95 (Mylan); \$14,578.44 (Sun); and \$6,989.66 (Zydus) for a total recovery of: \$342,359.73.

Any funds received from these settlements will be deposited into Cost Center 270910 (Opioid Pharmaceutical Non-Bankruptcy) – GL 485300 (Other Miscellaneous Government Revenue). Use of funds will adhere to the guidelines established by the State.

RECOMMENDATION

It is recommended that the Board approve the settlement agreements between the State of Nevada and Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus, and approve execution of the Subdivision Participation Forms.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be:

“Move to approve the settlements between the State of Nevada and Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus, and approve execution of the Subdivision Participation Forms for distribution of monies to Washoe County pursuant to the One Nevada Agreement.”