

----- Original Message -----

Subject: Opioids Update - Cook County, Georgia v. AmerisourceBergen Corporation, et al.

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Date: Fri, March 23, 2018 2:31 pm

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Good Afternoon.

To date, we have filed 20 suits on behalf of Georgia communities, more than any other firm in Georgia. Those suits have been filed on behalf of Athens-Clarke County, Banks County, Bulloch County, Candler County, City of Bainbridge, Cook County, Crisp County, Decatur County, Georgia, Elbert County, Hall County, Hospital Authority of Bainbridge and Decatur County, Irwin County, Jeff Davis County, Madison County, Oconee County, Oglethorpe County, Sumter County, The Candler County Hospital Authority, Twiggs County and Walton County. Several of these have already been transferred to the MDL in Ohio, and the rest will be transferred in short order. We anticipate filing additional cases in the ensuing weeks on behalf of many other communities fighting this epidemic. We cannot overstate the importance of these individual suits being filed on behalf of each community in Georgia in each community's local district court. Each suit filed is an additional voice at the table in this litigation, and it provides each community the unique opportunity to identify the problems that community is facing and the costs incurred and difficulties faced. Further, by filing in a community's home district, that community's case would come back to its local district court for a potential trial if the cases are not resolved. We firmly believe that legally and strategically this is the only way this litigation can be handled.

There have been some developments in the MDL in recent weeks. To start, settlement negotiations continue between the negotiating committees established by Judge Polster, and the Court has set a hearing date for May 10, 2018 for an update on the progress of those negotiations. Next, Plaintiffs in this litigation will finally get a production from the DEA of the ARCOs database from 2006 through 2014 which will allow the parties to identify the number of pills being distributed into communities of our state and by whom (both manufacturers and distributors). This is key information for identifying which actors have caused the most harm in each state. Further, the Court has agreed to entertain a scheduling order for a limited litigation track to allow the parties to start conducting discovery and motion practice while at the same time pursuing continued settlement negotiations discussed above. We believe this is a good thing as it will provide a means of additional pressure upon the manufacturer and distributor defendants as documents are produced and depositions begin. We also think this will lead to the creation of the Plaintiffs' Steering Committee of which we anticipate BBGA will be a member and will start working on the discovery aspects of this litigation. Finally, the US Government filed a Statement of Interest in the MDL proceeding stating that it has an interest in holding these manufacturers and distributors responsible for this epidemic but at the same time asking the Court for an additional 30 days to determine if the US Government will join the litigation. Again, we think this could be good for the litigation through additional pressure being placed on these companies.

We will continue to update you as the MDL progresses, and we thank you for your entrusting us with your community in this extremely important litigation.

Andrew J. Hill, III

Sent by:

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