

**From:** [Christian Boenisch](#)  
**To:** [Lindsay Berschauer](#); [Kit Johnston](#); [Mary Starrett](#); [Carolina Rook](#); [Bailey Barnhart](#)  
**Cc:** [Ken Huffer](#); [Justin Hogue](#); [Nohely Barajas-Montalvo](#)  
**Subject:** Opioid Settlement Agreement/Kroger Co.  
**Date:** Friday, July 19, 2024 8:28:55 AM

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Commissioners,

Another settlement has been reached in the ongoing federal multidistrict opioid litigation, this time with Kroger Co. This settlement impacts those states where Kroger Co. has supermarket and pharmacy operations (in Oregon at present it is Fred Meyer and QFC). The general terms of the Oregon subdivision agreement are the same as in the prior settlement agreements (45% to the State of Oregon and 55% to participating subdivisions, including Yamhill County), and our percentage share of the settlement amounts is also unchanged. Our understanding remains that any final attorney fee percentages are still capped at the federal level of 15%, which is well within the percentage originally agreed to in our outside counsel fee agreement.

If you have any questions about this latest settlement please let me know. Otherwise, as you have done with prior opioid settlement agreements, I would ask that this be placed on next week's agenda and that you authorize me to sign the settlement documents once they are finalized. Suggested agenda language:

"Consideration of authorizing County Counsel Christian Boenisch to sign the final Participation Forms and related documents to include Yamhill County in the proposed national opioid settlement agreement between litigating parties and Kroger Co., settling and releasing all claims against the named party arising out of federal multi-district opioid litigation."

Thanks,

Christian

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Accepted by Yamhill County  
Board of Commissioners on  
07/25/2024 by Board Order  
# 24-213