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Springfield Township ~ Tallmadge ~ Summit County Public Health ~ Valley Fire District

News Release

Ilene Shapiro – Summit County Executive
FOR IMMEDIATE RELEASE

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SUMMIT COUNTY EXECUTIVE SHAPIRO IS JOINED BY 21 COMMUNITIES AND SUMMIT COUNTY PUBLIC HEALTH IN OPIOID LAWSUIT *Civil suit filed against opioid manufacturers and distributors*

AKRON, OH (Dec. 21, 2017) – Today, Summit County Executive Ilene Shapiro announced the filing of a civil lawsuit against opioid manufacturers and distributors two months after declaring a State of Emergency in the County due to the opioid epidemic. Following a comprehensive investigation into the marketing and distribution of prescription opioids by nearly a dozen manufacturers and three distributors, including the makers of OxyContin and other opioid products, Summit County Ohio and jurisdictions within the County, including: Summit County Public Health, the City of Akron, the City of Barberton, the Village of Boston Heights, Boston Township, the Village of Clinton, Copley Township, Coventry Township, the City of Cuyahoga Falls, the City of Fairlawn, the City of Green, the Village of Lakemore, the Village of Mogadore, the City of Munroe Falls, the City of Norton, the Village of Peninsula, the Village of Richfield, the Village of Silver Lake, Springfield Township, the City of Stow, the City of Tallmadge and Valley Fire District initiated a civil lawsuit today in the Summit County Court of Common Pleas.

The 11 named manufacturing defendants in the suit accused of unfairly, deceptively and fraudulently marketing and promoting opioids are: Purdue Pharma, L.P.; Purdue Pharma, Inc.; Purdue Frederick Company Inc.; Teva Pharmaceuticals USA; Cephalon, Inc.; Janssen Pharmaceuticals, Inc.; Ortho-McNeil-Janssen, Inc.; Janssen Pharmaceutica Inc.; Endo Health Solutions Inc.; Endo Pharmaceuticals Inc.; and Insys Therapeutics, Inc.

The three distributor defendants named for allegedly freely distributing opioids throughout the County are: McKesson Corporation, AmerisourceBergen Drug Corporation, and Cardinal Health, Inc.

The suit alleges that through these companies' unfair and deceptive marketing and distribution of opioids, they created a public nuisance, violated the Ohio Consumer Sales Practices and Deceptive Trade Practices Acts, acted in gross negligence, violated the Ohio Corrupt Practices Act, and created injury through their actions. Summit County and the other jurisdictions assert that the manufacturing defendants deceptively created the mass market for prescription opioids, and the distributor defendants unlawfully flooded it. Distributor defendants are responsible for delivering opioids marketed and made by the manufacturing defendants to pharmacies throughout the country.

Ohio is one of the states hardest hit by the opioid epidemic. Overdose deaths have become the leading cause of death for Ohioans under the age of 55, and across all ages, more than two-and-a-half times as many people die from drug overdoses as from car accidents. Most of the overdose fatalities in Ohio involve opioids. The majority of those victims begin using prescription pain medication.

“This holiday season, too many children are without their parents, too many mothers and fathers are without their sons and daughters and many, many others are desperately struggling to get their lives back on track. All of these heart-wrenching stories originate at the hands of opioid manufactures and distributors,” said Executive Shapiro. “Our residents need help now more than ever. We will continue use our collective voices to help obtain justice for our residents who are struggling.”

The complaint details horrific examples of how the crisis has impacted some of the County's most innocent:

- Three young children are suspected to have ingested opioids recently. In one of the cases, an 18-month old was found unresponsive and not breathing. A nine-year old sibling called 911. The toddler initially responded to Narcan, but sadly passed away thereafter.
- One mother lost both her adult sons within weeks of one another to opioid overdoses.
- One County investigator was called upon to determine the cause of four deaths – two children and a father from the same family within a nine month period. A fourth family member died two months later.

A surge in fatal drug overdoses in the County this year required the County Medical Examiner's Office to request use of a refrigerated trailer, known as a “mobile morgue unit,” – on five separate occasions – from the Ohio Department of Health. The refrigerated trailer doubles the number of bodies that the County Medical Examiner's Office could otherwise hold at one time. Autopsy reports confirm that many of the deaths are related to oxycodone, hydrocodone, other prescription opioids, heroin and fentanyl.

“I cannot stress the emotional toll this epidemic has placed on our county and city employees. Our first responders and others have been called upon to handle situations no one should have to bear,” said Akron Mayor Dan Horrigan. “Entire families have been destroyed by this crisis.”

“This suit is about accountability. Those who we allege are responsible for creating this crisis must be held responsible for, and help shoulder the costs of the enormous harm they have created,” said Barberton Mayor Bill Judge. “We aren’t just talking about financial restitution, but safeguards to ensure corporations cannot continue to injure future generations,” commented Cuyahoga Falls Mayor Don Walters. He further stated, “While we cannot restore the lives already lost to opioids, we can do everything in our power to prevent the next victims.”

The County is in the Northern District of Ohio, where multidistrict litigation against these defendants (and others) was recently consolidated. The suit is filed in State Court in Summit County and solely alleges violations of state law.

“Through my work with fatherhood initiatives and throughout the community, I have witnessed the devastating effects of the opiate crisis as it ravages so many families in Summit County,” said Pastor Norris. “I view this litigation as the first step in holding these opioid distributors and manufactures accountable and it is my hope we can move forward to healing and restoration.”

In the past five years, Summit County estimates that it has spent nearly \$66 million addressing opioid related issues. County Executive Ilene Shapiro has estimated that over a 10-year period of time, the County will spend over \$150 million “simply trying to keep up with the epidemic.” These resources are diverted from other important programs at a time when local governments are facing continued cuts from the state and federal government.

Summit County and the joining Plaintiffs are working with outside counsel Brennan, Manna & Diamond, LLC and Motley Rice LLC. The attorneys are working on a contingent basis and at no additional cost to taxpayers.

Read the complaint. <https://clerkweb.summitoh.net/PublicSite/Documents/sumzzp100000750.pdf>

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