

AGENDA SUMMARY
GRAND COUNTY COMMISSION
REGULAR MEETING
OCTOBER 18, 2022

Agenda Item:

TITLE:	Ratifying the Chair’s signature on the updated Opioid Legal Representation Agreement
FISCAL IMPACT:	No additional fiscal impact, as discussed below
PRESENTER(S):	Christina Sloan, County Attorney

Prepared By:

Christina Sloan,
County Attorney

FOR OFFICE USE ONLY:

Attorney Review:

Complete
October 12, 2022

RECOMMENDATION:

I move to ratify the Chair’s signature on the updated Opioid Legal Representation Agreement, effective August 17, 2020.

BACKGROUND:

In 2018, along with 26 other Utah counties, the previously named Grand County Council and prior County Attorney Andrew Fitzgerald entered into litigation in the Moab District Court against opioid manufacturers and distributors including Johnson & Johnson and Teva Pharmaceuticals USA for damages caused by their role in the opioid epidemic in Utah.

The prior County Attorney and the County Commission executed a Legal Representation Agreement with national opioid counsel Phipps Ortiz Talafuse and then local counsel Durham Jones & Pinegar (“DJP”). On August 17, 2020, due to a change in partners at the firm of local counsel, DJP withdrew and Phipps Ortiz Talafuse engaged Lance Andrew, P.C. as its replacement.

We failed to execute a new agreement with Lance Andrew, which we need to do now given the recent settlements with manufacturer and distributor defendants.

Per our recent discussions, the settlement agreements and Fee MOU signed by all counties and the State of Utah will control the percentage of fees and the payment process. Thus, our total fee obligation is 20% per the settlement process, not the % listed in this agreement.

The Agreement is dated effective the date of DJP withdrawal.

ATTACHMENT(S):

1. Opioid Legal Representation Agreement, effective August 17, 2020
2. Original Opioid Legal Representation Agreement, effective May 21, 2018