

## **Resolution No.: 2018-037**

### **Resolution of Board of Commissioners of St. Tammany Fire Protection District No. 1 Relating to the Approval to Retain Outside Counsel with Specific Expertise Regarding Opioid Litigation and Cost Recovery for District No. 1**

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**WHEREAS**, a quorum of the Board of Commissioners (“BOC”) of St. Tammany Fire Protection District No. 1 ("District") was present on this date for a properly advertised, regular meeting;

**WHEREAS**, the BOC finds that it is in the best interest of the District, its employees, citizens and taxpayers, to implement a policy and procedure, whereby the District will seek to enforce any and all available remedies that the District may have and to seek any damages it may be entitled to, related to the national, statewide, and/or local opioid litigation and that a real necessity exists to pursue its rights and remedies for the District;

**WHEREAS**, the Commissioners of the District acknowledge that its general counsel does not possess the resources, staff, or specific expertise to handle such litigation and that because its general counsel does not have the resources, staff, or expertise to properly and effectively handle the matter a “real necessity exists” for the employment of special counsel to represent the District interest therein;

**WHEREAS**, the Commissioners of the District seek to retain outside counsel with specific expertise to handle the Opioid Litigation on a contingency fee basis, as the District does not possess the resources to pay the potential attorney fees on an hourly basis, nor the potential expenses in advance;

**WHEREAS**, other political subdivisions of the State of Louisiana have retained outside counsel with specific expertise to handle the opioid litigation on a contingency fee basis in a similar or identical basis;

**WHEREAS**, the Commissioners of the District have sought to retain and have agreed to a proposed contingency fee contract with attorneys Chad

Danenhower, PMI Legal Services, John F. Young, Michael G. Stag, L.L.C. and Stag Liuzza, L.L.C., Smith & Fawer, L.L.C., Alvendia, Kelly, and Demarest, L.L.C., Chehardy, Sherman, Williams, Murray, Recile, Stakelum & Hayes, L.L.P., Anthony Irpino of Irpino, Avin & Hawkins, and Walter May, subject to the provisions of LSA-R.S. 42:263, said Contract consistent with requirements of the Louisiana Attorney General imposed upon non-home rule parishes, including a maximum contingency of 25% on the first ten million recovered, 20% on any recovery between ten million and twenty million, and 15% of any recovery over twenty million;

**NOW, THEREFORE, BE IT RESOLVED** that:

1. The BOC wishes to engage legal counsel specific to Opioid Litigation to recover any damages it may be entitled to for District No. 1.
2. The BOC authorizes the completion of the Fact Sheet Implementation Order and all other required documents to engage legal counsel.
3. The Commissioners in a duly conveyed session voted formally to approve the contingency fee contract.
4. To the extent that prior resolutions or acts of this Board conflict with this Resolution those prior resolutions and actions are superseded by this Resolution.

This resolution was declared adopted at a regular meeting where a Quorum was present. The vote was as follows:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

**CERTIFICATE**

**I HEREBY CERTIFY** that I am the Secretary of the Board of Commissioners of St. Tammany Fire Protection District No. 1, and the above and foregoing Resolution was properly adopted by the Board of Commissioners, which is the District's governing authority, at a regular meeting called and held in accordance with law at the Towers Building, 520 Old Spanish Trail, Slidell, Louisiana, on the 18th day of September, 2018.

**THUS DONE AND SIGNED** at Slidell, Louisiana, this 18th day of September, 2018.

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Chairman, Board of Commissioners  
St. Tammany Fire Protection District No. 1

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Secretary, Board of Commissioners  
St. Tammany Fire Protection District No. 1