ST. LANDRY PARISH COUNCIL

SPECIAL MEETING

**THURSDAY, APRIL 6th, 2023**

**OLD CITY MARKET, 131 W BELLEVUE ST**

**OPELOUSAS, LOUISIANA**

**MINUTES**

1. This meeting was called to order by Chairman Jerry Red Jr.
2. Councilwoman Mildred Thierry led the Pledge of Allegiance and the Invocation

*Chairman Jerry Red Jr., stated*, “Before we do the roll call. I believe that there is something else that we would like to add to the agenda. So right now, would you all like to amend the agenda?”

*Councilman Wayne Ardoin stated*, “I will ask that we amend the agenda to include the Opioid Matter that was discussed last night.”

A motion was made by Councilman Wayne Ardoin, seconded by Councilman Harold Taylor to Amend the Agenda to add an additional line item to discuss the Opioid Lawsuit from the Committee Meeting that was held on Wednesday, April 5th, 2023.

**On roll call vote**: YEAS: Mildred Thierry, Harold Taylor, Gil Savoy, Vivian Olivier, Wayne Ardoin, Timmy Lejeune and Jimmie Edwards. **NAYS**: None.

**ABSENT**: Nancy Carriere, Easton Shelvin, Alvin Stelly, Dexter Brown and Coby Clavier. **ABSTAINED**: None.

WHEREUPON, this motion was adopted on this, the 6th, day of April, 2023.

*Councilwoman Nancy Carriere and Councilman Coby Clavier was late for roll call but later joined the meeting*.

1. **Roll Call: PRESENT**: Nancy Carriere, Mildred Thierry, Harold Taylor, Gil Savoy,

Vivian Olivier, Wayne Ardoin, Timmy Lejeune, Jimmie Edwards and Coby Clavier.

Ex Officio: Jerry Red Jr. **ABSENT**: Easton Shelvin, Alvin Stelly and Dexter Brown.

1. **Item for Discussion:**

• **Approve Resolution 015-2023 – National Settlement –Opioid**

*Chairman Jerry Red Jr., stated*, “What I will do, I am putting the Opioid discussion as item No. 4 and we will move the Injunction as Item. No. 5. Are you all good with that?”

*Councilman Harold Taylor stated*, “Yes.”

*Chairman Jerry Red Jr., stated*, “I will call the Attorney to come up and speak on the Opioid.

You can come and speak on it right now.

*Councilman Harold Taylor stated*, “Do we need to do this in Executive Session?

*Attorney Dustin Carter stated,* “No sir, I am not going to get into any confidentiality matters. First and foremost I want to thank the council for the meeting last night with the committee as well as allowing me to speak today. Again I will just reiterate that the Resolution that is before the council today is a Resolution which is very similar to one previously passed by the council to participate in National Settlements in the National Opioid Litigations. Based on our discussion last night and the questions that I have answered last night I stand ready to answer any other further questions the council may have with respect to participation in the new round of national settlements.”

*Legal Counsel Garett Duplechain stated*, “Connected to the Resolution is also three agreements for the council to approve and authorize.”

Chairman Jerry Red Jr., stated, “Does anyone have any questions that they would like to ask?”

*Legal Counsel Garett Duplechain stated*, “One is the settlements with Walmart and one is the settlement with Walgreens and the third one is the settlement with CVS.

*Councilman Timmy Lejeune stated*, “If I am in order I would like to make a motion to accept the Resolution.

A motion was made by Councilman Timmy Lejeune, seconded by Councilman Wayne Ardoin to accept **Resolution 015-2023.**

On roll call vote: YEAS: Nancy Carriere, Mildred Thierry, Harold Taylor, Gil Savoy, Vivian Olivier, Wayne Ardoin, Timmy Lejeune, Jimmie Edwards and Coby Clavier.

**NAYS**: None. **ABSENT:** Easton Shelvin, Alvin Stelly and Dexter Brown.

**ABSTAINED:** None.

WHEREUPON, this motion was adopted on this, the 6th, day of April, 2023.

**RESOLUTION 015-2023**

A Resolution authorizing St. Landry Parish to participate in additional NATIONAL

SETTLEMENTS as expressed in the recent national Pharmacy Defendants’ Settlement

Agreements (CVS, Walgreens and Walmart Defendants), 1 in conjunction with and pursuant to the previously agreed to Louisiana Memorandum of Understanding with the Louisiana Attorney General’s Office (“MOU”). 2

WHEREAS, St. Landry Parish has suffered harm from the opioid epidemic;

WHEREAS, St. Landry Parish recognizes that the entire State of Louisiana has suffered

harm as a result from the opioid epidemic;

WHEREAS, the State of Louisiana has a pending action in state court, and a number of

Louisiana Parishes, Cities and Special Districts have also filed actions in state court or have been transferred to, or directly in, In re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio) (the “Opioid Litigation”).

WHEREAS, St. Landry Parish is a litigating public subdivision and has a pending action

in the Opioid Litigation; 3

WHEREAS, these National Settlements with the Pharmacy Defendants 4 were publicly

announced in or around December 2022 in the Opioid Litigation;

WHEREAS, St. Landry Parish recognizes, acknowledges and accepts that it is eligible to

participate in the recently announced National Settlements with the Pharmacy Defendants;

WHEREAS, St. Landry Parish recognizes, acknowledges and accepts that it is not

eligible to participate in the recently announced national/global Teva and Allergan Settlements 5 by virtue of the State of Louisiana’s separate, preceding Settlement Agreements with the Teva and Allergan Defendants pursuant to State Attorney General’s authority in the Louisiana MOU, and further recognizes that its claims against the relevant Teva and Allergan Defendants will be dismissed pursuant to those Settlement Agreements;

1 Available at: https://nationalopioidsettlement.com/; https://nationalopioidsettlement.com/faq-explanatory-charts/;

https://nationalopioidsettlement.com/pharmacy-settlements/; https://nationalopioidsettlement.com/wp-

content/uploads/2023/02/2022-National-Opioids-Settlements-FAQs-2-2-2023.pdf.

2 See https://nationalopioidsettlement.com/states/louisiana/ and https://nationalopioidsettlement.com/wp-

content/uploads/2021/10/2021.10.21-MOU-Opioid-Litigation.pdf.

3 St. Landry Parish, Louisiana v. Purdue Pharma L.P. et al, Case No. 1:18-op-46042-DAP (N.D. Ohio).

4 The Pharmacy Defendants include all those listed in the relevant Settlement Agreements, including those listed in

each Exhibit J appended to Settlement Agreements with CVS, Walgreens and Walmart and including all of their

subsidiaries, predecessors, successors, joint ventures, current officers, directors, employees, representatives, agents,

affiliates, parents, and assigns.

5 See https://nationalopioidsettlement.com/teva-allergan-settlements/; https://nationalopioidsettlement.com/state-

participation-status/; https://nationalopioidsettlement.com/teva-allergan-settlement-documents/.

WHEREAS, participation in these National Settlements by a large majority of Louisiana

cities, parishes and special districts will maximize the amount of funds allocated for Louisiana under these National Settlements and should improve Louisiana’s relative bargaining position during additional settlement negotiations;

WHEREAS, failure to participate in these National Settlements will reduce funds

available to the State, St. Landry Parish, and every other Louisiana City, Parish and Special

District;

WHEREAS, St. Landry Parish’s private attorneys from Neblett, Beard &amp; Arsenault (and

other co-counsel firms) have sufficiently explained the details of these National Settlements to St. Landry Parish (through its Council and Legal Advisor), St. Landry Parish has had an

opportunity to ask questions concerning same, and St. Landry Parish’s private attorneys have

satisfactorily answered those questions to the best of their ability and based on currently

available information;

WHEREAS, St. Landry Parish’s private attorneys from Neblett, Beard &amp; Arsenault (and

other co-counsel firms) firmly believe that St. Landry Parish’s participation in these National

Settlements is in St. Landry Parish’s best interest; and

WHEREAS, St. Landry Parish’s private attorneys from Neblett, Beard &amp; Arsenault (and

other co-counsel firms) strongly recommend that St. Landry Parish participate in these National Settlements, and agree to be bound by the terms thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE ST. LANDRY PARISH COUNCIL:

SECTION 1. That St. Landry Parish finds that participation in these National Settlements

is in the best interest of St. Landry Parish, its citizens, and its community(ies).

SECTION 2. That St. Landry Parish hereby re-affirms its support of a unified plan for the

allocation of any funds and use of opioid settlement proceeds as generally described in the

previously agreed-to and executed Louisiana MOU.

SECTION 3. That Parish President, Jessie Bellard, is hereby authorized to execute any

and all documents or formal agreements to effectuate St. Landry Parish’s participation in these National Settlements, including but not limited to, Settlement Participation

Form(s)/Agreement(s), Releases and other necessary documents.

SECTION 4. That the Secretary/Clerk be and hereby is instructed to record this

Resolution in the appropriate record book upon its adoption.

SECTION 5. The Secretary/Clerk is hereby directed to furnish a certified copy of this

Resolution to the Neblett, Beard &amp; Arsenault:

*Chairman Jerry Red Jr., stated*, “Garett you talked about the attachments.”

*Legal Counsel Garett Duplechain stated,* “Right, there are 3 agreements for our council to approve and authorize concerning the Opioid Settlements for the Parish President to sign.”

*Chairman Jerry Red Jr., stated*, “Do you need that separate or do you need that all together.”

*Legal Counsel Garett Duplechain stated*, “You can do that all together. They are the same settlement. Three defendants, Walgreen, Walmart and CVS all together.”

*Chairman Jerry Red Jr., stated*, “Can we get a motion on that.”

A motion was made by Councilman Wayne Ardoin, seconded by Councilwoman Mildred Thierry to approve three agreements for the Parish President to sign regarding the Opioid Settlement with Walgreens, Walmart and CVS.

On roll call vote: YEAS: Nancy Carriere, Mildred Thierry, Harold Taylor, Gil Savoy, Vivian Olivier, Wayne Ardoin, Timmy Lejeune, Jimmie Edwards and Coby Clavier.

**NAYS**: None. **ABSENT:** Easton Shelvin, Alvin Stelly and Dexter Brown.

**ABSTAINED:** None.

WHEREUPON, this motion was adopted on this, the 6th, day of April, 2023.

1. ***Discuss Hiring an Attorney for the Injunction Filed by Parish President Jessie Bellard***.

*Chairman Jerry Red Jr., stated*, “With item No. 5 we may need to go into an Executive Session.”

*Legal Counsel Garett Duplechain stated*, “You can if you believe it is necessary in regards to a lawsuit and legal strategy and decisions regarding a lawsuit that involves a council. Council can choose to go into Executive Session if it deems it necessary.”

*Chairman Jerry Red Jr., stated*, “Before we move on they have some stuff dealing with the trial. I would like to discuss it in Executive Session.”

A motion was made by Councilman Wayne Ardoin, seconded by Councilman Harold Taylor to go into Executive Session and turn off the recording.

On roll call vote: YEAS: Nancy Carriere, Mildred Thierry, Harold Taylor, Gil Savoy, Vivian Olivier, Wayne Ardoin, Timmy Lejeune, Jimmie Edwards and Coby Clavier.

**NAYS**: None. **ABSENT:** Easton Shelvin, Alvin Stelly and Dexter Brown.

**ABSTAINED:** None.

WHEREUPON, this motion was adopted on this, the 6th, day of April, 2023.

*Chairman Jerry Red Jr., stated*, “In this Executive Session we will ask everyone to leave except the council members and the council clerk. Turn everything off. Garett because you are not serving us we will ask that you leave also.”

A motion was made by Councilman Timmy Lejeune, seconded by Councilman Wayne Ardoin to return back in Regular Session and turn the recording system back on.

On roll call vote: YEAS: Nancy Carriere, Mildred Thierry, Harold Taylor, Gil Savoy, Vivian Olivier, Wayne Ardoin, Dexter Brown, Timmy Lejeune, Jimmie Edwards and Coby Clavier. **NAYS**: None. **ABSENT:** Easton Shelvin and Alvin Stelly. **ABSTAINED:** None.

WHEREUPON, this motion was adopted on this, the 6th, day of April, 2023

Chairman Jerry Red Jr., stated, “Item No. 5 is to discuss hiring an Attorney for the Injunction filed by the Parish President Jessie Bellard.”

Councilwoman Nancy Carriere stated, “I would like to make a motion. As of April 6, 2023 we hire Mr. Gary McGoffin Law Firm to represent the council.

A motion was made by Councilwoman Nancy Carriere, seconded by Councilman Wayne Ardoin to approve hiring Mr. Gary McGoffin Law Firm to Represent the Council.

On roll call vote: **YEAS:** Jerry Red Jr., Nancy Carriere, Mildred Thierry, Harold Taylor,

Gil Savoy, Wayne Ardoin, and Coby Clavier.

**NAYS**: Vivian Olivier, Dexter Brown, Timmy Lejeune and Jimmie Edwards.

**ABSENT:** Easton Shelvin and Alvin Stelly. **ABSTAINED:** None.

WHEREUPON, this motion was adopted on this, the 6th, day of April, 2023.

*Chairman Jerry Red Jr., stated*, “Ms. Sherell, I will vote also.”

1. **ADJOURN:**

A motion was made by Councilman Wayne Ardoin, seconded by Councilman Harold Taylor to adjourn the Special Meeting.

**On roll call vote**: **YEAS**: Nancy Carriere, Mildred Thierry, Harold Taylor, Gil Savoy, Vivian Olivier, Wayne Ardoin, Dexter Brown, Timmy Lejeune, Jimmie Edwards, and Coby Clavier. **NAYS**: None. **ABSENT**: Easton Shelvin and Alvin Stelly.

**ABSTAINED**: None.

WHEREUPON, this motion was adopted on this, the 6th, day of April, 2023.

**I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE**

**KAREN BARLOW, ASSISTANT COUNCIL CLERK**