

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 23-08-08-02

IN THE MATTER OF RATIFYING AN
AGREEMENT WITH D'AMORE LAW GROUP, PC
FOR FEES RELATED TO OPIOID LITIGATION

WHEREAS, under the Laws and Constitution of Oregon, the Lane County Board of Commissioners has authority to act for the County in all general matters, as set forth under statute, and

WHEREAS, Lane Manual Chapter 61 sets forth the County's procedures for legal services and allocates certain authority to settle claims, and

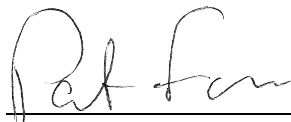
WHEREAS, the County, acting through its county counsel, undertook to participate in litigation related to pharmaceutical manufacturers and suppliers of opioid drugs, and

WHEREAS, the County, along with the State of Oregon and other Oregon counties, has begun receiving payments under certain national opioid settlements, and then-counsel, along with other Plaintiff counties, negotiated an additional contingency fee to D'Amore Law Group as settlement of any claims for additional fees for the "Big 3" and Janssen opioids settlements;

NOW THEREFORE, The Board of County Commissioners of Lane County ORDERS as follows:

The January 2023 negotiated agreement with the D'Amore Law Group, PC as attached herein is hereby ratified.

ADOPTED this 8th day of August, 2023.



Pat Farr, Chair, Lane County Board of
Commissioners

ADDITIONAL 2% FEE AGREEMENT BETWEEN THE NINE OREGON LITIGATING COUNTIES AND D'AMORE LAW GROUP

Whereas, on August 6, 2021, Judge Polster of the US District Court for the Northern District of Ohio issued an Order (the "Order") in In Re National Prescription Opiate Litigation, MDL 2804, limiting contingent attorney fees to 15% regardless of contracts between political subdivisions in the Distributors and Janssen (J&J) Agreements and their counsel. Pursuant to the Order, Oregon Counties and the State of Oregon entered into the State of Oregon Subdivision Agreement Regarding Distribution and Use of Settlement Funds (the "Subdivision Agreement").

Whereas, a global settlement was reached under the Distributor and Janssen Agreements with all Oregon cities and counties payments to be made on an annual basis. In December 2021, County Counsel, on behalf of their respective counties, for Clackamas County, Clatsop County, Columbia County, Curry County, Jackson County, Josephine County, Lane County, Washington County, and Yamhill County ("the Nine Litigating Counties") agreed to pay D'Amore Law Group ("DLG") an additional 2% contingent fee on amounts recovered by the counties, pursuant to the Subdivision Agreement, Paragraph 4(e)(i), and the Oregon Backstop Agreement.

Whereas, Paragraph 4(d) of the Subdivision Agreement requires that contingent attorney fees must first be paid first from the National Attorney Fee Fund and limits the recoverable fees at 12% of the Litigating Local Government's Local Allocation share of the Oregon Settlement Funds. Therefore, the majority of the 12% contingency fee is paid by the National Attorney Fee Fund.

Therefore, The Nine Litigating Counties and DLG, enter into this Additional Fee Agreement to memorialize their December 2021 agreement and that D'Amore Law Group, P.C., is paid a 2% contingent fee in addition to the 12% fee available under the Subdivision Agreement. This will ensure that DLG, is paid a maximum contingent fee of 14%.

The Nine Litigating Counties certify that they will report each 2% payment made under this Additional Fee Agreement as required by Paragraph 4(e)(iii) of the Subdivision Agreement. The 2% fee is calculated by the Nine Litigating Counties for each payment made as follows:

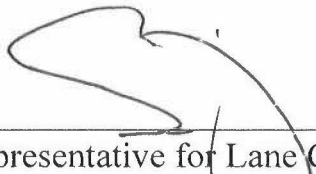
**[[OR SETTLEMENT FUNDS]*.5*[DIRECT ALLOCATION
PERCENTAGE OF EACH COUNTY IN EXHIBIT A OF THE
SUBDIVISION AGREEMENT]*.02]**

For example, in Year 1, the State of Oregon has been paid \$11,284,391.12 for Payment 1 of the Distributors Settlement, and the counties have been paid their allocated shares. The base amount for calculating the attorney fee is reduced by 50% (or .5); the remainder is multiplied by the Allocation Percentage; and the resulting figure is multiplied by the fee percentage of 2% (or .02). Using the above formula, for example, the above attorney fee for **Lane County for Year 1 Distributors Payment 1** is calculated as follows:

Example: $\$11,284,391.12 \times .5 \times .063326808234 \times .02 = \$7,146.05$

The Nine Litigating Counties each agree to pay D'Amore Law Group the 2% fee based on each County's Allocation Percentage and the above formula for the Distributors and Janssen Agreements.

1/13/22
[DATE]


[Representative for Lane County]

I swear under penalty of perjury that I have all necessary power and authorization to execute this Agreement on behalf of Lane County.

1/9/2023
[DATE]


[D'AMORE LAW GROUP, P.C.]