

ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE

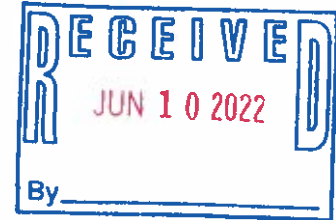
33 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397

JOHN M. FORMELLA  
ATTORNEY GENERAL



JAMES T. BOFFETTI  
DEPUTY ATTORNEY GENERAL

June 7, 2022



Mr. Thomas Aspell  
City of Concord  
41 Green Street  
Concord, NH 03301

Re: Second Opioid Litigation Settlement Fund Distribution pursuant to RSA 126-A:83, II

Dear Mr. Aspell:

I write to inform you that New Hampshire has received the second opioid related settlement payment from the State's settlement with McKinsey (*State of New Hampshire v. McKinsey & Company, Inc.*, Merrimack County 217-2021-CV-0073), as well as the first payment under the national settlement with the three major opioid distributors (*State of New Hampshire v. Cardinal Health, McKesson Corp*, Merrimack County 217-2019-CV-00220 and *State of New Hampshire v. AmerisourceBergen Corp.*, Merrimack County 217-2022-CV-00463). The total amount of the second payment from the McKinsey settlement was \$142,592.45. The total amount of the first payment from the settlement with the distributors was \$4,960,767.71. As a qualifying political subdivision, you will be receiving a distribution of your share of those funds from the State Treasurer.<sup>11</sup> Fifteen percent of those two payments is \$756,504.03. Distributions are based on the 2010 census figures<sup>12</sup>, with adjustments for counties for those cities or towns within that county that also filed suit.

<sup>11</sup> RSA 126-A:83, II

The treasurer shall distribute 15 percent of all funds received prior to any deposit in the consumer escrow account or the opioid abatement trust fund to the counties and the political subdivisions that filed lawsuits, on or before September 1, 2019, against opioid manufacturers, distributors and other persons identified as defendants in the multidistrict opioid litigation pending in the federal district court for the northern district of Ohio. This distribution shall occur on an annual basis. The distribution of funds shall be based on the 2010 census population of each qualifying county and political subdivisions. The population of any political subdivision which receives funds under this section shall not be included in the population of the county for determining the distribution to that county.

<sup>12</sup> SB 275, a bill amending RSA 126-A:83-86 was passed by the Legislature and just recently signed by the Governor. That bill would, in part, amend the statute to use the latest census figures. That law goes into effect 60 days after its passage.

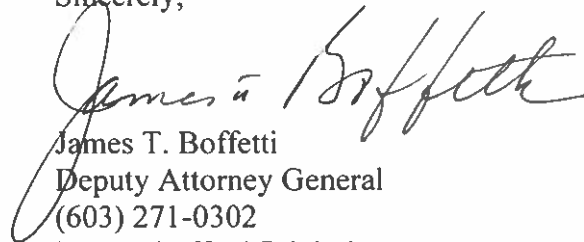
The payment to Concord is in the amount of \$24,826.39.

Under state law, all of these funds are to be used for abatement purposes to fight an opioid epidemic that remains a significant problem in our state and local communities.

There is a reporting requirement for each county city or town that receives funds under the statute that requires you to provide to the Department of Health and Human Services and the Opioid Abatement Trust Fund Commission a detailed account of all monies spent on approved uses (for opioid abatement purposes). NH RSA 126-A:84, IV. That report is due on or before September 1, 2022. As a reminded, if you have not submitted a report for the funds received in May, 2021, please do so. If your report indicated that you reserved those May, 2021 funds and have not used those funds, please supplement your report by indicating how those May, 2021 funds were spent.

If you have any questions about this or other potential opioid related settlements, feel free to reach out to me.

Sincerely,



James T. Boffetti  
Deputy Attorney General  
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JTB/cbw