



St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043
(504) 278-4228 Fax (504) 278-4209
www.sbpg.net

#44

Kerri Callais
*Councilmember
at Large*

Richard "Richie" Lewis
*Councilmember
at Large*

Gillis McCloskey
*Councilmember
District A*

Nathan Gorbaty
*Councilmember
District B*

Howard Luna
*Councilmember
District C*

Wanda Alcon
*Councilmember
District D*

**Manuel "Monty"
Montelongo III**
*Councilmember
District E*

Roxanne Adams
Clerk of Council

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, SEPTEMBER 5, 2017 AT SEVEN O'CLOCK P.M.

On motion of Ms. Callais, seconded by Mr. Gorbaty, it was moved to adopt the following ordinance:

EMERGENCY ORDINANCE SBPC #1995-09-17

Summary No. 3528

AN EMERGENCY AN ORDINANCE TO AUTHORIZE THE DISTRICT ATTORNEY OF ST. BERNARD PARISH TO COMMENCE LITIGATION EFFORTS AND TO SELECT AND RETAIN OUTSIDE COUNSEL ON A CONTINGENCY FEE BASIS TO PROVIDE LEGAL REPRESENTATION ON BEHALF OF ST. BERNARD PARISH TO ASSERT ALL AVAILABLE CLAIMS, INCLUDING CLAIMS FOR DAMAGES, RELATING TO THE SALE AND DISTRIBUTION OF OPIOIDS AGAINST PHARMACEUTICAL COMPANIES, WHOLESALE DISTRIBUTORS, LOCAL DISTRIBUTORS AND ANY CULPABLE PARTIES, AND ANY MATTERS AND LITIGATION RELATED THERETO.

WHEREAS, the potential for St. Bernard Parish to assert its claims relating to the sale and distribution of opioids requires prompt action and it affects the health, property, public safety and welfare of the citizens of St. Bernard Parish,

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. Authorization. The St. Bernard Parish Council, the governing authority, does hereby approve and authorize the District Attorney of St. Bernard Parish to commence litigation efforts and to select and retain outside counsel on a contingency fee basis to provide legal representation on behalf of St. Bernard Parish to assert all available claims, including claims for damages, relating to the sale and distribution of opioids against pharmaceutical companies, wholesale distributors, local distributors, and any other culpable parties, and to provide representation on any matters and litigation related thereto.

SECTION 2. Compensation and Contract. The compensation for any outside counsel shall be on a contingency fee basis with no costs or expenses owed by St. Bernard Parish Government and shall be set forth in a written contract in compliance with the parish home rule charter.



St. Bernard Parish Council

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Extract #44 continued
September 5, 2017

Kerri Callais
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at Large

Richard "Richie" Lewis
Councilmember
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Gillis McCloskey
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District A

Nathan Gorbaty
Councilmember
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SECTION 3. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. If the proposed ordinance is not signed or vetoed by the Parish President within Twelve (12) hours after receipt it shall be considered adopted. As an emergency ordinance the provisions shall remain valid for a time period of sixty (60) days.

SECTION 4. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this ordinance with the invalid portions omitted.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

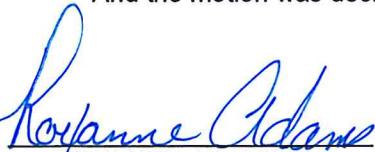
YEAS: Gorbaty, Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: McCloskey

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 5th day of September, 2017

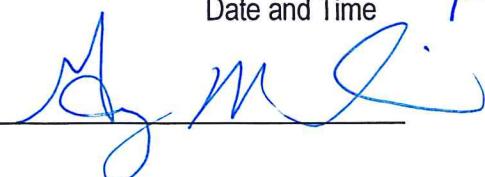

ROXANNE ADAMS
CLERK OF COUNCIL


RICHARD LEWIS
COUNCIL CHAIR

Delivered to the Parish President

9-5-17 9:19 pm
Date and Time

Received by





St. Bernard Parish Council

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Extract #44 continued
September 5, 2017

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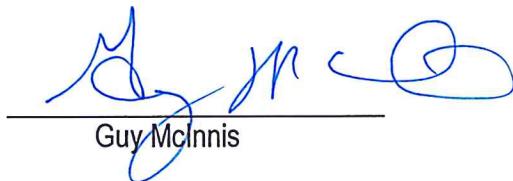
Approved

Richard "Richie" Lewis
*Councilmember
at Large*

Vetoed _____

Gillis McCloskey
*Councilmember
District A*

Parish President



Guy McInnis

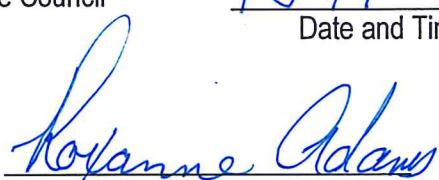
Nathan Gorbaty
*Councilmember
District B*

Returned to Clerk of the Council

9-5-17 9:23pm
Date and Time

Howard Luna
*Councilmember
District C*

Received by



Roxanne Adams

Wanda Alcon
*Councilmember
District D*

**Manuel "Monty"
Montelongo III**
*Councilmember
District E*

Roxanne Adams
Clerk of Council