



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
[www.sbpj.net](http://www.sbpj.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.



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Extract #44 continued  
September 5, 2017

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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 5<sup>th</sup> day of September, 2017

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
RICHARD LEWIS  
COUNCIL CHAIR

Delivered to the Parish President

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

Received by







# *St. Bernard Parish Council*

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Extract #44 continued

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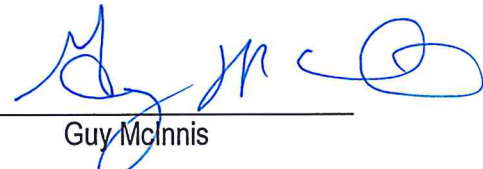
**Manuel "Monty"  
Montelongo III**  
*Councilmember  
District E*

**Roxanne Adams**  
*Clerk of Council*

Approved 

Vetoed \_\_\_\_\_

Parish President

  
Guy McInnis

Returned to Clerk of the Council

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

Received by

