Town Council Regular Meeting
Agenda Item 7.c.

Agenda Item: **Resolution 26-G-64 to approve the town's participation in the proposed settlement of opioid-related claims against Albertsons, and to direct the Town Manager and/or Town Attorney to execute the documents necessary to effectuate participation in the settlement**

Meeting Date: November 17, 2026

Category: Consent

Prepared by: Lesa Yeatts, Town Attorney

Description:
Town participation in the proposed settlement of opioid-related claims against Albertsons.

Background/Timing Impact:
As a part of the nationwide settlement of opioid claims, the Town participated in the following Virginia settlements with opioid manufacturers/distributors:

2021 Settlements

- McKesson
- Cardinal Health
- AmerisourceBergen
- Johnson & Johnson

2023 Settlements

- Teva
- Allergan
- Walmart
- CVS
- Walgreens

2024 Settlement

- Kroger

2025 Settlements

- The Sackler Family (Purdue Pharma)
- Alvogen
- Amneal
- Apotex
- Hikma
- Indivior
- Mylan
- Sun
- Zydus

The Resolution before you is for approval of the Town's participation in a new settlement against Albertsons and for authorization for the Town Manager and/or Town Attorney to sign the documents necessary to effectuate the Town's participation in the settlement. The amount of funds that will flow to Virginia and its localities from this settlement depends on maximizing participation by as many local government subdivisions as possible. Herndon is being asked to approve the settlement and submit participation forms because, due to the structure of the settlement agreement, towns above a certain population threshold must approve the settlement and submit participation forms in order to maximize the overall recovery for the Commonwealth and its subdivisions. Participating towns are not eligible to receive direct shares from the settlement funds. However, we may be able to apply for, request, or receive funds for opioid abatement programs through the county. Our participation will help to maximize the recovery for all of Virginia's counties, including Fairfax.

Timing Impact:
Adoption of the resolution is required to enable the submission of the required paperwork by the December 30, 2026, deadline.

Strategic Focus Area:
Good Governance
Strong Fiscal Stewardship

Fiscal Impact:
Although it is unlikely that the town will receive any funds from the settlement, a positive financial impact of accepting this settlement is anticipated for the entire Commonwealth.

Legal Impact:
The town's participation in the settlement by adoption of the resolution is required in order for the state and the county to receive the maximum amount of settlement funds.

Staff Recommendation/Next Steps:

Adoption of the Resolution as proposed.

Attachments:

1. Resolution (Proposed)