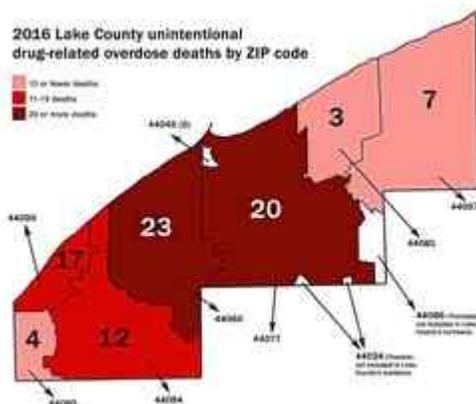


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Lake County commissioners mulling opioid lawsuit

By Andrew Cass, *The News-Herald*

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The costs are everywhere.

The human cost in Lake County alone is hundreds of lives lost in the past few years. There were 86 drug overdose deaths in the county last year alone, the vast majority opioid-related.

The costs can be felt everywhere from the coroner's office to first responders to children services — which successfully asked Lake County voters for more money in large part because of the increase demand created by the opioid epidemic.

Statewide, the economic toll of the epidemic is now as much as \$8.8 billion a year, according to a recent study from Ohio State University researchers.

Now, Lake County commissioners are considering following the footsteps of other counties — including Cuyahoga County — and filing a lawsuit against manufacturers, wholesale distributors and so-called “pill mill” doctors who prescribed medications inappropriately or for nonmedical reasons.

“I think everybody at this point agrees there’s a problem,” attorney Frank L. Gallucci said to the commissioners Nov. 15.

Gallucci was joined at the meeting by attorney and former appeals court judge Mary Jane Trapp and attorney Jim Marniella.

“This idea is to bring the litigation and to specifically seek the damages that have been incurred so far, but to also go after abatement,” Gallucci said.

By abatement, Gallucci said you first look at secondary education: educate the next generation of would-be victims.

Second is law enforcement.

“You cannot simply arrest and incarcerate your way out of this, but through drug task forces, drug courts, getting our first responders what they need with (opioid reversal drug) Narcan, we can have that good middle step that allows them to start tackling it,” he said.

The third is treatment: making sure there are the right treatment centers to get those who have been affected “back on their feet and back into society the proper way.”

With their national counsel New-York based Napoli Shkolnik, Gallucci said they’re also representing Cuyahoga County and are about to file on behalf of Trumbull County. Nationally there are 60 counties that have already filed suits.

In May, Ohio Attorney General Mike DeWine [filed](#) a lawsuit against drug manufacturers [Purdue Pharma](#), Endo Health Solutions, Teva, Johnson & Johnson and Allergan.

But, by only going after the manufacturers, the attorney general's lawsuit only goes after part of the problem, Gallucci said.

The attorney general's complaint is about workers' compensation and Medicaid, Gallucci said. That's not going to address damages to job and family service departments or coroners' offices.

Commissioner Jerry Cirino asked the attorneys if there's a chance that a judge could combine the counties' lawsuits with the attorney general's. While Gallucci said there's "always a chance of anything," he didn't believe it was likely. The attorney general's lawsuit is only suing five companies and counties' lawsuits are suing more parties.

The attorneys are filing individual cases rather than a class-action suit.

The danger of a class-action lawsuit is that every county's damages are different.

The attorneys said there will not be a fee to the county if no money recovered in the suit.

"It's a public nuisance and we need to abate it," Gallucci said.

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