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Lake County sues opioid makers, distributors for epidemic

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Lake County government has made good on its [promise to sue](#) 25 opioid manufacturers, wholesale distributors and “pill mill” doctors over their roles in the opioid epidemic.

“This case is about one thing: corporate greed,” the 258-page suit begins. “Defendants put their desire for profits above the health and well-being of the County of Lake consumers at the cost of (residents).”

The suit was filed Dec. 11 in Lake County Common Pleas Court by attorneys from Plevin & Gallucci Co. of Cleveland; Napoli Shkolnik of Melville, N.Y.; Thrasher, Dinsmore & Dolan of Cleveland; Scott Elliot Smith of Columbus and Demer & Marniella of Berea.

The firms are working for the county on a contingency basis, meaning a fee — calculated as a percentage of any money awarded — will be charged only if the suit is successful.

The lawsuit is seeking unspecified damages from companies including Purdue Pharma, Cardinal Health and Amerisourcebergen Corp. for alleged violation of consumer sales practices, deceptive trade practices, public nuisance, fraud, unjust enrichment, negligence and negligent marketing.

They are also suing for violations of the Ohio Corrupt Practices Act and injury through criminal acts.

“In order to expand the market for opioids and realize blockbuster profits, Defendants needed to create a sea change in the medical and public perception that would permit the use of opioids ... for more common aches and pains such as lower back pain, arthritis and headaches,” the suit stated. “... Defendants persuaded doctors and patients that what they had long understood — that opioids are addictive drugs and unsafe in most circumstances for long-term use — was untrue, and to the contrary, that the compassionate treatment of pain required opioids.”

According to the suit:

- The defendants knew that opioids were effective treatments for short-term post-surgical care, trauma-related pain and end-of-life care. Yet they also knew opioids were addictive, subject to abuse and appropriate only as a last resort.
- Defendants started a “highly deceptive and unfair marketing campaign” in the late 1990s to expand the opioid market and gain “blockbuster” profits. The marketing campaign that rationalized prescribing opiates for chronic pain “opened the floodgates of opioid use and abuse,” with catastrophic results.
- In 2014, [more people died of opioid overdoses in Ohio than any other state in the country](#).

- Lake County had a 25.6 drug overdose death rate per 100,000 population from 2011 to 2016, according to the Ohio Department of Health.
- In 2016, [unintentional drug deaths affected Lake County residents](#) between 25 and 34 years old at almost double the rate of other age groups.
- Since 2010, Lake County has seen a 38 percent increase in the number of children entering the custody of county agencies, resulting in a 26 percent increase in the cost to pay for placement into alternative care. This is directly related to the opioid epidemic, as addicts either lose custody of their children or die.
- There has been a significant increase in Ohio babies born addicted to opiates. Infants afflicted with Neonatal Abstinence Syndrome spend their first months of life in heavy withdrawal and often need years of long-term care and monitoring. Almost 1,700 Ohio babies born in 2013 were addicted to drugs, according to the state Department of Health. Lake County has a higher five-year average for infant mortality than the state or country as a whole — much of this due to babies born with NAS.
- The Lake County Sheriff's Office has seen a dramatic increase in costs due to the opioid epidemic, including more emergency calls due to overdoses, the increased use of opioid reversal drugs and more crime.
- Opioid abuse has not displaced heroin, but “rather triggered a resurgence in its use,” putting additional burdens on Lake County and local agencies.

“The intent of proceeding with this is not to address a problem, but to address possibly some relief from a problem we've been continually addressing,” Lake County Commissioner Daniel P. Troy said at a recent meeting. “The opiate epidemic has impacted our county and our society in so many ways.”

The case has been assigned to Judge Vincent A. Culotta.

The attorneys hired by Lake County have filed similar suits in other nearby counties including [Cuyahoga](#) and [Ashtabula](#).

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