

# FORSYTH HERALD

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## County joins lawsuit against opioid industry

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Posted Wednesday, December 6, 2017 12:00 am

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**Kathleen Sturgeon** (<mailto:kathleen@appenmediagroup.com>)

FORSYTH COUNTY, Ga. — Forsyth County has officially agreed to retain a law firm that is in the process of prosecuting multiple manufacturers and distributors linked to the opioid crisis.

At its Nov. 28 meeting, the Forsyth County Board of Commissioners approved Napoli Shkolnik PLLC as its attorneys as they pursue a lawsuit on behalf of local governments seeking damages to cover the costs associated with the drug epidemic.

The firm will receive 25 percent of all amounts recovered, according to the retainer agreement. Additionally, if the action is considered class action, the law firm will request compensation which will supersede and replace the contingency fee.

If the suit is successful, the award would help cover expenses associated with substance abuse programs, healthcare, environmental, medical examiner, lost productivity, foster care, Narcan and increased law enforcement.

Other local jurisdictions considering joining or that have already joined include Fulton County, Henry County, DeKalb County, Newton County and Clayton County.

In 2015, more than 300 million prescriptions were written for opioids, more than enough to give every American adult their own bottle of pills, according to Shayna Sacks, a partner with Napoli Shkolnik PLLC. That includes Vicodin, OxyContin and Opana.

From 1999 to 2013, opioids have claimed more than 175,000 lives, with more than 16,000 deaths attributed to opioid overdoses alone in 2013.

In Georgia, the overdose death rates have steadily increased from 1999 to 2015, nearly a nine-fold increase overall, Sacks said.

In the United States, prescription opioid abuse costs are about \$55 billion annually.

The law firm is filing suit on behalf of municipalities, states/attorney generals, individuals and unions against the drug manufacturers, distributors, prescribers and pharmacies.

Some of the major drug distributors in the country have seen billions of dollars in sales, she said. Purdue Pharma manufactures OxyContin and Dilaudid, among others, and has generated from \$2 to \$3 billion annually in sales of OxyContin alone. Sacks said they are the "grandparent" of the epidemic.

The causes of action are negligence, false advertising, nuisance, consumer fraud and unfair and deceptive practices, Sacks said.

The history of the opioid crisis dates back to the 1990s when influential journal articles and key opinion leaders encouraged physicians to prescribe the medications, downplaying addiction risks, Sacks said.

"The pharmaceutical industry began aggressively marketing their drugs," she said. "Pill mills began popping up around the country as communities were flooded with prescription opioids. Over the next decade, people quickly grew addicted to the drugs. For many, the addiction evolved into heroin use."

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