

Sanford the latest Maine community to join lawsuit against opioid makers

By Tammy Wells, Bangor Daily News -Journal Tribune • February 23, 201



In 2017, Sanford medical emergency personnel dealt with 100 opiate overdoses, [according to Sanford Fire Chief Steve Benotti](#).

If the numbers hold true for 2018 as the year progresses, incidents from Jan. 1 to Feb. 20 indicate the potential for a 32 percent increase by Dec. 31 over 2017, Benotti said, and a 170 percent increase from when the department started keeping statistics in 2014, when there were 49.

The human toll as well as the financial toll on city services prompted City Council on Tuesday to enter into an agreement with a New York law firm to join a lawsuit against opioid manufacturers and distributors.

In doing so, Sanford is joining a number of other Maine municipalities which have signed on, including both Biddeford and Saco in York County, and dozens more across the country.

Earlier in the evening, the council had met behind closed doors with attorney Adam Lee of the Auburn law firm Trafton, Matzen, Belleu & Frenette LLP, the Maine firm working with the New York prosecuting law firm Napoli Shkolnik, PLLC, and passed the resolution in public session that authorized the city to join the lawsuit.

None of the councilors commented prior to the vote, but some did after the meeting had concluded.

“Anything we can do to help the opioid problem in Sanford is a major step forward,” said Councilor John Tuttle.

“This will allow us to recoup some of the funds taxpayers have already spent on emergency care,” said Councilor Robert Stackpole, noting if the suit is successful, it will help pay for future costs. He said he would like to see support for future opioid prevention programs.

“It is a drain on our resources and will be for a considerable amount of time,” said Councilor Maura Herlihy of the opioid addiction issue in the city. “(Addicts) continue on the path until the inevitable end or find a way to curb their addiction and live their lives.”

There is no upfront cost to the suit; the city would pay 25 percent of any settlement plus a share of costs, according to the agreement.

According to City Manager Steve Buck, Napoli Shkolnik is a world renowned law firm, best known for their success in multi-district lawsuits, such as the 9/11 Twin Tower class action suit in New York.

In a memo to councilors, Buck said the opioid suit has similarities to a suit that resulted in a settlement with the tobacco industry some years ago.

“The difference would be that in this case the payout would go directly to those named in the case, i.e. the City of Sanford,” he wrote.

According to figures prepared by Benotti, some supplies, like Narcan, an atomizer, a bag valve mask and an airway implement used in treating someone with an overdose add up to about \$64. Depending on the patient, other items may include pads for defibrillator at \$70; intravenous supplies, if required, add \$110.

The figures do not include wages of the emergency medical personnel, which varies from four to nine, depending on the situation and the severity of it, Benotti wrote in a memo to Buck.

The figures do not include law enforcement costs, if any, nor costs associated with the social toll opioid addiction can take on a community.

The resolution approved by the council points out the toll:

“The City Council of Sanford has learned, to its sorrow over the last several years, exactly how devastated many of its residents have become because of addictions to painkillers manufactured by drug companies,” the resolution states.

It states that Sanford police, fire, and other departments are required to respond daily to problems that arise because of addiction to painkillers, and notes that city employees who manage social services work with many people who suffer from addiction to painkillers and struggle to care for themselves.

The resolution points out that about 80 percent of people who use heroin have been prescribed opiates in the past; and in 2016, 376 people in Maine died from drug overdoses, with 123 of those deaths caused by pharmaceutical opioids.

The council, in its resolution blamed “the ease with which these drugs have been obtained, as a result of drug companies’ campaign to make them readily prescribed for common aches and pains, has led many people to become addicted.”

The resolution pointed to the profits obtained by drug companies and the alleged failure of the companies to successfully tailor the pharmaceutical opiates to prevent abuse.

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