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AMSTERDAM EYES OPIOID LAWSUIT

By John Purcell | March 20, 2019

Amsterdam has retained a law firm for litigation against opioid manufacturers and distributors, potentially including the city in a class action lawsuit.

Amsterdam Common Council members unanimously voted Tuesday to authorize the mayor to enter into an agreement with Napoli Shkolnik, PLLC, for the prosecution of any legal claim against opioid manufacturers and distributors for fraudulent marketing and distribution of the drugs. The city will not pay Napoli Shkolnik any upfront expenses, but the law firm would receive 25 percent of all gross amounts recovered.



Purcell/Recorder staff From left, 1st Ward Alderman Patrick Russo, 2nd Ward Alderman Paul Ochal and 3rd Ward Alderwoman Irene Collins at the Amsterdam Common Council meeting Tuesday. Later that evening, the city council authorized retaining a law firm for claims against opioid manufacturers and distributors

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“It’s a contingency retainer,” Corporation Counsel William Lorman said. “If they don’t get anything, we don’t pay anything.”

Mayor Michael Villa in an interview said there must be accountability for the impact the opioid epidemic has had on the community.

“The more you point to an awareness of this epidemic the sooner we’ll be able to correct some of it,” Villa said.

Lorman said if litigation is pursued, the law firm will assess how opioids have negatively impacted the city to calculate damages to seek from defendants.

Lorman said an example the law firm provided is the strain on emergency medical services to respond to an overdose. He said the firm also pointed to the potential depletion of the tax base through property owners dying from an opioid overdose.

Napoli Shkolnik reportedly represents many counties across New York, along with municipalities in several other states.

While the law firm has taken on multiple plaintiffs, the litigation would not start as a class action, according to Lorman. He said the law firm advised the matter could develop into a class action.

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