

The Laconia Daily Sun

Belknap County close to joining lawsuit against makers of drugs like OxyContin

By Roger Amsden | April 24, 2018

LACONIA — Belknap County Attorney Andrew Livernois has recommended that the county join a lawsuit against the pharmaceutical companies that made drugs such as OxyContin and hydrocodone.

Livernois told Belknap County Commissioners last week that the county should join other communities in the state that have already signed on with the New York City law firm Napoli Shkolnik PLLC in its legal action against drug manufacturers and distributors for their role in the opioid epidemic.

“Time is of the essence,” Livernois told Belknap County Commissioners last Thursday. He said that the cities of Manchester and Nashua and Strafford County have already chosen to be represented by the same firm.

Lawsuits have been filed by municipalities around the country against pharmaceutical companies for alleged fraudulent marketing schemes for opioid painkillers that resulted in thousands of addicts who turned to heroin when the painkiller pills become less effective for them over time. The litigation seeks recovery of some of the costs to deal with the addiction epidemic.

Livernois said there would be no cost to taxpayers for the litigation, and the law firm will only be compensated up to 25 percent of any settlement that may be reached.

He said that Atty. Robert J. Bonsignore of the Bonsignore & Brewer law firm of Medford, Massachusetts, which specializes in complex litigation, would be working with the county as the local representative gathering information for the lawsuit.

Bonsignore, who owns a home in Belmont, said Thursday that there could be a track for area hospitals to join in the lawsuit and recover their costs as well.

Livernois presented commissioners with a copy of the proposed agreement with the New York City law firm and commissioners said they would act on it at their next meeting. Commission Chairman Dave DeVoy was not present at Thursday's meeting.

Bonsignore addressed the commission earlier this year and urged the county to join in the lawsuit, maintaining that the opioid epidemic is a national crisis that was artificially created by drug manufacturers and distributors through false and deceptive marketing to doctors and the public.

Bonsignore said at that time that the National Institute on Drug Abuse estimates that 75 percent of people who enter treatment for a heroin addiction took their first opioid legally from a prescription.

He cited the case of a West Virginia town of only 800 residents where millions of pills were sent as an example of the failure of the industry's self-regulation efforts.

“The taxpayers should not be liable for the cost of treatment. This is a case where people with no morals and no scruples were driven by the desire for profit to take advantage of people,” said Bonsignore.

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