



# DAVE YOST

OHIO ATTORNEY GENERAL

Administration  
Office 614-728-5458  
Fax 614-466-5087

August 20, 2019

Via Email: [Maletta.Matthew@endo.com](mailto:Maletta.Matthew@endo.com)

Matthew Maletta  
Executive Vice President, Chief Legal Officer  
Endo International PLC  
1400 Atwater Drive  
Malvern, Pennsylvania 19355

Re: Ohio Opioid Litigation

Dear Mr. Maletta:

My office has reviewed the announcement of your settlement with Cuyahoga and Summit Counties, and related entities. Congratulations on resolving those matters for an amount which “approximates the estimated cost to Endo of proceeding through trial.”<sup>1</sup> This characterization mirrors the definition of a nuisance value settlement.

In light of the pending settlement, I wish to remind you that several of the claims asserted by the political subdivisions are owned by Ohio, and can only be settled by me as Attorney General. (See my July 23, 2019 letter to the MDL court [Doc 1973] detailing this point.)

No settlement with any political subdivision(s) relieves Endo of any liability to the State for any claim that Ohio has brought. Endo’s nuisance value settlement (both the monetary and product portions) reflects no more than hard municipal costs paid directly by the political subdivisions, and does not include settlement of any portion of any claim brought by the State. I am doing you the courtesy of making this clear prior to you finalizing your settlement.

Yours,

A handwritten signature in blue ink that reads "Dave Yost".

Dave Yost  
Ohio Attorney General

Cc: Jonathan Stern, [jonathan.stern@arnoldporter.com](mailto:jonathan.stern@arnoldporter.com)  
Carole Rendon, [crendon@bakerlaw.com](mailto:crendon@bakerlaw.com)

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<sup>1</sup> Endo’s August 20, 2019 press release. (Quote attributed to Matthew Maletta).



# DAVE YOST

OHIO ATTORNEY GENERAL

Administration  
Office 614-728-5458  
Fax 614-466-5087

August 21, 2019

Via E-mail: [robert.bailey@allergan.com](mailto:robert.bailey@allergan.com)

Robert D. Bailey,  
Executive Vice President and Chief Legal Officer  
Allergan PLC

**Re: Ohio Opioid Litigation**

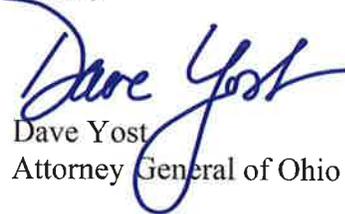
Dear Mr. Baily:

My office has received word of your partial settlement with Cuyahoga and Summit Counties, and related entities.

In light of the pending settlement, I wish to remind you that several of the claims asserted by the political subdivisions are owned by Ohio, and can only be settled by me as Attorney General. (See my July 23, 2019 letter to the MDL court [Doc 1973] detailing this point.)

No settlement with any political subdivision(s) relieves Allergan PLC of any liability to the State for any claim that Ohio has brought. Allergan PLC's settlement reflects no more than hard municipal costs paid directly by the political subdivisions, and does not include settlement of any portion of any claim brought by the State. I am doing you the courtesy of making this clear prior to you finalizing your settlement.

Yours,



Dave Yost  
Attorney General of Ohio

cc: Donna Welch [donna.welch@kirkland.com](mailto:donna.welch@kirkland.com)  
John Mitchell [John.Mitchell@Thompson.Hine.com](mailto:John.Mitchell@Thompson.Hine.com)