



## Memphis City Council Summary Sheet

**1. Description of the Item (Resolution, Ordinance, etc.)**

A Resolution for approval to hire a special attorney pursuant to Ordinance No. 5294 to file suit on behalf of the City regarding extraordinary litigation.

**2. Initiating Party (e.g. Public Works, at request of City Council, etc.)**

City Attorney Division

**3. State whether this is a change to an existing ordinance or resolution, if applicable.**

N/A

**4. State whether this will impact specific council districts or super districts.**

Entire City

**5. State whether this requires a new contract, or amends an existing contract, if applicable.**

N/A

**6. State whether this requires an expenditure of funds/requires a budget amendment**

N/A--

**7. If applicable, please list the MWBE goal and any additional information needed**

N/A



A Resolution for approval to hire a special attorney pursuant to Ordinance No. 5294 to file suit on behalf of the City regarding extraordinary litigation.

WHEREAS, the City of Memphis provides healthcare for its employees and retirees; and

WHEREAS, the City of Memphis is self-insured; and

WHEREAS, the cost of medications to treat diabetes has increased disproportionately to the increase in the average cost of consumer goods over the past 20 years; and

WHEREAS, this disproportionate increase in pricing has a direct impact on the City of Memphis costs to insure employees and retirees; and

WHEREAS, the cost increase is the direct result of collusion and willful misrepresentation by drug manufacturers and distributors named as defendants in the currently-pending multi-district litigation styled as *In re: Insulin Pricing Litigation*, Case No. 2:23-md-3080, MDL No. 3080 (the "Litigation"); and

WHEREAS, the City desires to seek legal relief through joining the Litigation; and

WHEREAS, Ordinance 5294 requires that City Council approve the decision of the City Attorney to retain counsel to file suit regarding "extraordinary litigation," such as suits against the defendants named in the Litigation; and

WHEREAS, the City has determined to retain Ron Austin Law, and local counsel to bring these actions on behalf of the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves City Attorney to retain counsel to file suit on behalf of the City in the Litigation, and against any other party contributing to improperly increased healthcare costs for the City of Memphis.

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