



Cheboygan County Board of Commissioners

MISSION STATEMENT

Cheboygan County officials and staff will strive to provide public services in an open and courteous manner and will responsibly manage county resources.

Committee of the Whole Meeting

February 27, 2018

9:30 a.m.

Agenda

- 1. Call to Order**
- 2. Roll Call**
- 3. Invocation/Pledge of Allegiance**
- 4. Approve Agenda**
- 5. CITIZENS COMMENTS**
- 6. SCHEDULED VISITORS/DEPARTMENT REPORTS**
 - A. Prosecutor's 2017 Annual Report
- 7. ADMINISTRATOR'S REPORT**
- 8. OLD BUSINESS**
- 9. NEW BUSINESS**
 - A. Opioid Legal Representation Award
- 10. BOARD MATTERS FOR DISCUSSION**
 - A. Economic Development
- 11. CITIZENS COMMENTS**
- 12. BOARD MEMBER COMMENTS**
- 13. ADJOURN TO THE CALL OF THE CHAIR**

CHEBOYGAN COUNTY
PROSECUTING ATTORNEY'S OFFICE

2017 Annual Report



Prepared by:

Daryl P. Vizina

Cheboygan County Prosecuting Attorney



DARYL P. VIZINA
COUNTY OF CHEBOYGAN
OFFICE OF THE PROSECUTING ATTORNEY



870 S. Main Street, P.O. Box 70, Cheboygan, MI 49721
Phone (231) 627-8450 • Fax (231) 627-8405

ALFRED FELEPPA, III
Chief Assistant Prosecuting Attorney

MELISSA GOODRICH
Assistant Prosecuting Attorney

February 14, 2018

Dear Commissioners and Cheboygan County Citizens:

I have attached my 2017 Annual Report. The report highlights the important cases handled within my office and data relating to our caseload.

After two years filled with retirements and staffing turnover, 2017 had no significant changes within the office. We continued excelling in holding offenders appropriately accountable, zealously representing victims, advocating for our abused/neglected children and being active in numerous educational activities and organizations.

The outlook for 2018 is positive and we look forward to and expect continued success moving forward. Thank you.

Sincerely,

Daryl P. Vizina
Cheboygan County Prosecuting Attorney

THE PROSECUTING ATTORNEY'S OFFICE STAFF

Daryl P. Vizina

Prosecuting Attorney

Alfred Feleppa

Chief Assistant Prosecutor

Melissa Goodrich

Assistant Prosecutor

Lori Millhouse-Spray

Office Manager

Jessica Farver

Child Support Specialist

Celeste M. Charboneau

Crime Victim Coordinator

Kim Chimner

Legal Secretary

Julie K. Rettell

Legal Secretary



IMPORTANT CASE OF 2017

Dr. Jerome Siudara [76] – Cheboygan



I. The Death of Elizabeth Siudara.

On Wednesday August 26, 2014, Elizabeth Siudara overdosed in her home located on Mullet Lake Road, Cheboygan. Her husband, Dr. Jerome Siudara, Defendant, called 911 to report the overdose. Elizabeth was taken by ambulance and eventually ended up at McLaren Hospital in Petoskey. She was pronounced dead on Saturday August 30, 2014 at 8:10pm.

II. No Autopsy ordered.

Dr. Carl Hawkins performed the medical examination of Elizabeth's body. The Defendant and Dr. Hawkins worked together at Mackinac Straits Hospital. As part of the exam, Dr. Hawkins physically reviewed the body and spoke with the Defendant. Dr. Hawkins determined the cause of death was multiple substance toxicity. Dr. Hawkins relied upon Defendant's statements and did not request an autopsy and never notified law enforcement of Elizabeth's death. The body was turned over for cremation.

III. Beginning of the Investigation.

It was not until Elizabeth's obituary appeared in the Cheboygan Tribune that law enforcement was aware of her death. At that point, the Michigan State Police – led by Detective Rich Rule – began looking into the case.

IMPORTANT CASE OF 2017

IV. History of the Parties.

Rule's investigation revealed a suspicious and tumultuous history for the parties. The following information was discovered:

- Defendant filed for divorce the day before Elizabeth overdosed. In the divorce filing, Defendant expressed concerns that the marital assets were titled in Elizabeth's name.
- Defendant had been engaged in a marital affair with a significantly younger woman.
- Defendant prescribed the pills causing Elizabeth's death and dispensed them shortly before her overdose.
- Defendant dispensed Elizabeth's pills on a daily basis because of her mental fragility and propensity to take too many pills one time.

V. Medical Professionals.

Medical experts determined that the drugs Defendant prescribed Elizabeth were lethal. In the medical field, there is a known combination of drugs called "The Holy Trinity". "The Holy Trinity" is a combination of an opioid, benzodiazepine and muscle relaxant. All three drugs are respiratory depressants and the synergistic impact is often lethal. On the day of Elizabeth's overdose, Defendant dispensed to Elizabeth an opioid, benzodiazepine and a sleep aid. Medical experts opined that combination was essentially "The Holy Trinity".

VI. The Day of Elizabeth's Overdose

The investigation revealed that on the day of Elizabeth's overdose, Defendant set out six days' worth of opioids, benzodiazepines and sleep aids for Elizabeth's consumption. Defendant discovered all the pills missing at 10-10:30am. Elizabeth called Charter Communications at 10:58am. The call was recorded and Elizabeth was under the influence. Defendant called 911 to report the overdose at 2:14pm. Defendant admitted to never leaving the house the entire day. Defendant admitted leaving the pills out because he was leaving town. Detective Rule learned that Defendant was scheduled to go on a multi-day boat trip with his mistress the following day.

VII. Elizabeth's Mental Health/Criminal History.

Elizabeth had a documented mental health history. However, her behavior became increasingly unstable in the summer of 2012 – that is the same time Defendant's affair began. An example being while incarcerated, she was observed urinating on the jail floor and then licking-up the urine. Elizabeth's behavior resulted in multiple criminal incidents and probation violations. Prior to the summer of 2012, Elizabeth had zero criminal history. Elizabeth also had an overdose in the summer of 2013. On that occasion, Defendant admittedly provided her with five days' worth of pills because he was travelling with his mistress.

VIII. Defendant Charged.

Defendant was charged with First Degree Murder and alternative charges of Second Degree Murder and Involuntary Manslaughter. The prosecution theory was that Defendant knew Elizabeth would take the large amount of prescription pills based on (1) her being upset about him going on a rendezvous with his mistress the next day, (2) her elevated level of mental illness and (3) she had recently overdosed with the same pills. Additionally, Defendant was aware that this amount of pills

IMPORTANT CASE OF 2017

would be lethal because Elizabeth was previously hospitalized for taking the same pills, but a lesser amount. The prosecution believed that Defendant's motive to kill Elizabeth was based on the fact that if the parties divorced, Elizabeth would obtain at least half of the substantial marital assets. If she were to die, Defendant got everything plus a large life insurance policy.

IX. Resolution of the Case.

The preliminary examination extended several months and over a dozen witnesses testified. As the hearing was concluding, the parties reached an agreement. On March 20, 2017 Defendant pled no contest to the alternative charge of Involuntary Manslaughter – a 15 year felony. Involuntary Manslaughter required a judicial finding that Defendant acted in a grossly negligent manner in prescribing and dispensing prescription medications to Elizabeth Siudara and thus caused her death. The judge found that the testimony and evidence presented was sufficient for the Involuntary Manslaughter charge. The plea agreement also provided that Defendant would be sentenced at the mid-point of the statutorily established guideline range. On May 17, 2017 the Honorable Scott Pavlich sentenced the Defendant to serve five months incarceration.

X. Comments.

"This is the most complex case that Cheboygan County has likely ever had. I estimate that my office had in excess of a thousand hours prosecuting this matter. The resolution was not total justice, but we were pleased. Securing a conviction in any murder case is challenging; however, in this case, we had the burden of proving Elizabeth's cause of death without an autopsy. That was a huge hurdle we took into consideration when deciding on the lesser charge. The strength of the case was the overwhelming circumstantial evidence pointing to Dr. Siudara acting with nefarious intentions. In the end, it was a good outcome and Elizabeth got some justice.

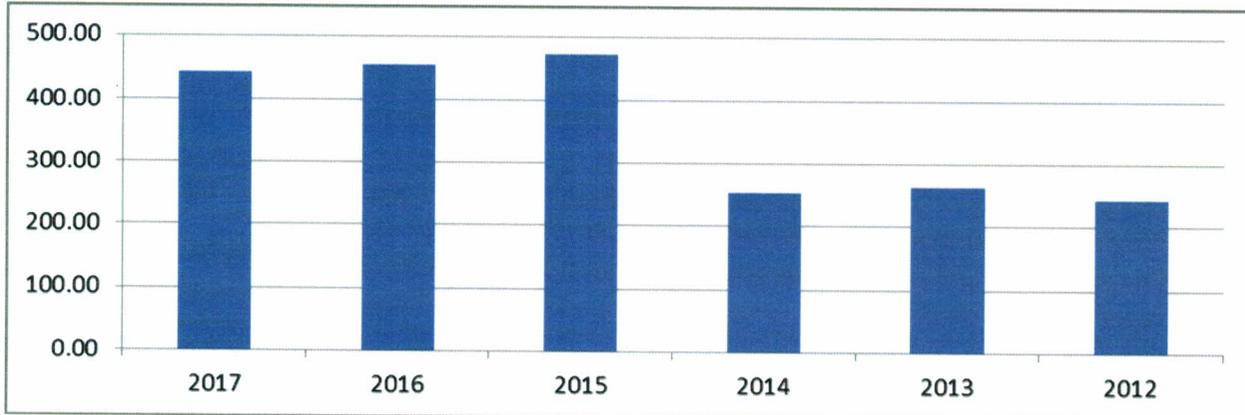
XI. Special Recognition.

Detective Rich Rule received an award for professional excellence from the Michigan Department of State Police for his exceptional commitment and effort in this case. It is well deserved. Without Detective Rule's work, this outcome would not be possible.

2017 TOTAL CASELOAD

Type of Case	2017 Caseload	2016	2015	2014	2013	2012
Criminal	1007	1077	1144	1018	1062	973
Felony Authorized	218					
Felony Denied	7					
Misd. Authorized	691					
Misd. Denied	43					
Traffic	48					
Juvenile	128	123	125	111	98	108
New Authorized Petitions	83					
Continued Cases	35					
Denied Petitions	10					
Abuse/Neglect	36	13	17	26	25	29
New Petitions	14					
Continued Petitions	22					
Mental Health	26	11	11	10	13	11
Child Support	130	139	118	104	124	99
Rejected/Pending Referrals	104					
Cases with Court Orders	26					
Total Cases	1327	1363	1415	1269	1322	1220
Attorneys	3	3	3	5	5	5
Cases/Attorney	442.33	454.33	471.67	253.80	264.40	244.00
District Court Hearings	4,945					
Circuit Court Hearings	1,176					

CASES PER ATTORNEY 2012-2017



FELONY CASELOAD

FELONY CRIME CLASS BREAKDOWN

Crime Class	2010	2011	2012	2013	2014	2015	2016	2017
Drugs/Alcohol	227	179	185	253	206	194	198	164
Property Crimes	153	139	158	138	126	66	53	95
Crimes Person	64	74	51	38	57	39	44	67
Sex Crimes	23	36	73	64	44	38	45	44
Weapons	18	27	19	20	17	21	4	17
Misc.	12	26	17	23	29	9	4	9
	497	481	503	536	479	367	348	396

FELONY DRUG BREAKDOWN

Drug	2009	2010	2011	2012	2014	2015	2016	2017
Marijuana	40	61	26	45	52	45	34	29
Heroin	21	32	13	8	14	4	5	9
RX Drugs	65	73	45	44	135	135	135	102
Alcohol	15	11	23	8	18	12	16	16
Meth	8	34	51	77	1	18	4	15
Cocaine	8	12	21	3	0	2	4	7
Misc.					4	6	0	5
Total	157	223	179	185	224	222	198	183

FELONY OFFENDER SUMMARY

PSI TOTAL	157	Percent	Age	Offenders	Percent
Total Def's	148		17-29	46	31%
Females	42	28%	30-39	39	26%
Males	106	72%	40-49	31	21%
Sub. Abuse History	120	81%	50-59	19	13%
No Sub. Abuse History	28	19%	60-69	9	6%
First Use Under 18 YOA	100	68%	70-79	4	3%
Minor Children	140			148	

COMPARABLE COUNTIES CASELOADS

At the conclusion of every felony conviction, the Michigan Department of Corrections is required to prepare a several page document called a Pre-Sentence Investigation Report [PSI]. The PSI is designed to inform the Circuit Court Judge of the Defendant’s history – criminal justice, education, family, employment and substance abuse – and also to make an incarceration recommendation.

For the last few years, the Department of Corrections has provided their data regarding PSI’s for all regional counties. The chart below outlines the number of PSI’s, each county’s staffing and average felony case load since 2015.

County	PA's	2015 PSI	2016 PSI	2017 PSI	Avg PSI	PSI/PA
Antrim	3	117	39	28	61.333	20.444
Charlevoix	3	56	64	82	67.333	22.444
Cheboygan	3	170	128	157	151.67	50.556
Chippewa	4	215	160	211	195.33	48.833
Emmet	5	153	175	158	162	32.4
Otsego	3	120	101	118	113	37.667
Presque Isle	2	29	23	35	29	14.5

The data above reflects that the Cheboygan County Prosecuting Attorney’s Office continually has the highest felony caseload per attorney in the region. With the exception of Chippewa County, Cheboygan County secures nearly 40% more felony convictions per attorney than the next closest county and over 125% more per attorney than Antrim, Charlevoix and Presque Isle Counties.

ABUSE/NEGLECT & JUVENILE DELINQUENCIES

The Cheboygan County Prosecuting Attorney's Office prosecutes Child Abuse/Neglect petitions on behalf of the Department of Human Services.

• Total Abuse/Neglect Cases Handled in 2017	36
• New Abuse and Neglect Petitions	14
• Cases resulting in termination	7
• Appeals	1
• Mediations	18
• 3200 Referrals	1
• LEN Referral [forwarded to police agency]	77

The Prosecuting Attorney's Office handles cases involving mentally ill citizens needing court supervision and/or hospitalization.

• Scheduled Adult Mental Health Commitment Cases	26
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The Prosecuting Attorney's Office prosecutes cases involving juvenile delinquency. These cases involve Cheboygan County citizens under the age of 17 who violate Michigan law.

• Total Juvenile Delinquency Cases Handled in 2017	118
• New Juvenile Delinquencies Petitions Received	83
○ Petitions Denied	10
○ <u>Petitions Authorized</u>	<u>73</u>
▪ Assaultive Crimes	22
▪ Drugs/Alcohol	18
▪ Sex Crimes	7
▪ Truancy	4

CRIME VICTIM RIGHTS

The Cheboygan County Prosecutors Office is in the process of revamping our crime victim rights services. As I have outlined in previous annual reports, we provide our victims with a variety of services, including but limited to:

- **Orientation to the Criminal Justice System.**
- **Assisting victims during trials and courtroom proceedings.**
- **Keeping victims informed on all hearings, case status and final disposition.**
- **Providing Judges with victim statements regarding the incident.**
- **Pursuing restitution.**
- **Direct victims to community resources for further assistance.**

Currently, all Michigan prosecuting attorneys communicate the information outlined above through mailing the information via the US Postal Service. It is our intent to give our victims the option to receive our notifications, forms, resources and communications electronically through their smartphone or personal computer. It is our belief that a majority of our victims will greatly benefit from our proposed program. It will be faster, easier, more efficient and reduce postage costs. Additionally, I anticipate that our office will significantly benefit as well. There will be a huge reduction in postage costs and we will be able to receive their data much quicker. I have been working with my victim rights coordinator, Celeste Charboneau, Jeff Lawson and IT on getting the final kinks ironed out; however, we are optimistic that we can have our new "Crime Victim Network" operable by the close of 2018.

TOTAL RESTITUTION COLLECTED FOR CRIME VICTIMS 2017

Collector	Case Type	Amount
County Clerk	Felony	\$ 30,204.06
District Court	Misdemeanor	\$ 52,948.02
Probate Court	Juvenile	\$ 6,124.59
Prosecutor's Office	All of above	\$ 13,870.92
Total Restitution to Victims		\$ 103,147.59

Crime Victim Rights Specialist, Celeste Charboneau – (231)627-8879

CHILD SUPPORT AND PATERNITY

THE TITLE IV-D PROGRAM

Title IV-D of the Social Security Act establishes the child support program and sets the requirements that all state child support programs must meet in order to receive funding. Parents and custodians can receive help in establishing and enforcing child support as well as medical support through the IV-D program.

Services provided under Title IV-D of the Social Security Act (IV-D program) include:

- **Locating parents and/or establishing paternity.**
- **Establishing court orders for child support, medical support and child care expenses**
- **Directing parents to services that may help them in their time of need.**
- **Working with other states to establish paternity or child support when one parent does not live in Michigan.**
- **Referring custody and parenting time matters that are in dispute to the Friend of the Court so the matters may be resolved for the parties.**
- **Our website is now accessible to the public which contains additional information for the Child Support Division of the Prosecutor's Office.**

Child Support Specialist, Jessica Farver 231-627-8411

CHILD SUPPORT AND PATERNITY

ESTABLISHMENT FOR CHEBOYGAN COUNTY

****Data from dates 10-1-2013 through 09-31-2014****

IV-D Cases with Court Orders:	1,341
All open cases with children receiving benefits from State (i.e.: Medicaid, food assistance or cash assistance) that there is an order established.	
Support Order %:	87.5%
The percentage of cases with child support established through a support order.	
Children in IV-D cases:	1,533
The number of Cheboygan County children receiving benefits from the State.	
Children Born Out of Wedlock:	1,032
The number of Cheboygan County children receiving benefits from the State who were born out of wedlock.	
Children Born Out of Wedlock with Paternity Established:	1,032
The number of children born to unwed parents where paternity was established.	
Paternity Establishment %:	100.0%
The percentage of cases completed with paternity testing and DNA genetic test results that established paternity.	
Children w/Paternity Established:	14
The number of cases Cheboygan County Prosecutor's Office Child Support Division established paternity for in 2013.	
Total referrals received from the State:	130
This is the amount of referrals the Prosecutor's Office received from the State for establishment purposes of paternity and/or child support in 2013.	
Total referrals that had to be rejected or are pending:	104
Cases with Court Orders Established:	26

ADMINISTRATOR'S REPORT

2-27-18

GOLDFRONT DEMOLITION:

Three demolition bids were received for the demolition of the Gold Front and Gold Dust buildings. The apparent low bid is from Dore and Associates Contracting of Bay City, MI. The bid is for \$221,100. Staff is in the process of reviewing the bid and must verify Dore's qualifications and proposal with the State prior to bid award.

JAIL ADDITION/ STORAGE BUILDING:

Three bids were received for the Jail Addition and Renovation project and five bids for the storage building. The architect is in the process of reviewing bid information from contractors for recommendation of award. The Jail Addition and Renovation bids were higher than original estimates. Once bids are reviewed by the architect a revised budget will be provided.

INDIGENT DEFENSE COMMISSION:

Staff has resubmitted the County's Indigent Defense application to the MIDC for review and approval for funding. The State required reclassification of certain expenses related to construction items and elimination of wage expense for areas they consider supplanting.



Cheboygan County Board of Commissioners' Meeting

Date 2-27-18

Title: Cheboygan County Opioid Case Legal Services

Summary: Request for proposals were solicited from qualified legal firms to provide proposals to represent the County in opioid litigation. Three proposals were received from the following firms:

The Miller Law Firm out of Rochester, Michigan, working with the national firm of Robbins Geller Rudman & Dowd, LLP

Sommers Schwartz partnering with various affiliated firms.

Weitz & Luxenberg out of Detroit and New York, partnering with Smith & Johnson out of Traverse City, and the Sam Bernstein Law Firm

After review of the proposals by staff and civil counsel it is recommended to award representation to The Miller Law Firm and Robbins Geller Rudman & Dowd, LLP.

Financial Impact: The Miller Law Firm and Robbins Geller Rudman & Dowd, LLP would be paid 25% of any recovery for Cheboygan County.

Recommendation: Motion to award litigation legal services to represent Cheboygan County in opioid litigation to The Miller Law Firm and Robbins Geller Rudman & Dowd, LLP and authorize the Chairperson to sign any necessary service agreements.

Prepared by: Jeffery B. Lawson

Department: Administration

THE MILLER LAW FIRM

A PROFESSIONAL CORPORATION

WWW.MILLER.LAW
950 W. University Dr., Suite 300
ROCHESTER, MI 48307
248-841-2200

January 30, 2018

Jeffrey B. Lawson
Cheboygan County Administrator's Office
870 South Main Street
P.O. Box 70
Cheboygan, MI 49721

Re: Response to Request for Proposals to Represent Cheboygan County in Opioid Litigation

Dear Mr. Lawson,

This letter is submitted by The Miller Law Firm, P.C. ("MLF" or the "Firm") in response to your request for proposal to represent Cheboygan County in the opioid litigation. MLF, along with Robbins Geller Rudman & Dowd LLP ("Robbins Geller"), as co-counsel, currently represent Wayne, Oakland and Monroe counties. Together, our firms filed a 374-paragraph complaint against several manufacturers and distributors of opioids. This complaint was the first opioid lawsuit filed in Michigan and is available for review on our website at www.millerlawpc.com/opioid. Robbins Geller founding partner, Paul J. Geller, was recently selected to serve on the Plaintiffs' Executive Committee of the multidistrict opioid litigation (*In re: National Prescription Opiate Litigation*, MDL No. 2804), which comprises more than 180 cases related to the opioid crisis.

MLF has the resources, talent and experience to support this important case. The opioid crisis is the result of fraud and the prosecution of complex fraud cases is at the very heart of MLF's expertise. In 2015, for example, as co-lead counsel, we successfully prosecuted the number one securities fraud settlement in the United States, *In Re AIG 2008 Securities Litigation*, No. 08-cv-04772 (S.D.N.Y.) (\$970.5 million). We have successfully prosecuted dozens of other securities fraud cases throughout the United States.

Additionally, MLF has extensive experience in successfully prosecuting dietary supplement cases which have some parallel with the misconduct committed in the opioid industry. For example, we believe that MLF was the first firm in the United States to certify a class of purchasers of a problematic dietary supplement. (*See Gasperoni v. Metabolife International, Inc.*, No. 00-cv-71255, 2000 WL 33365948 (E.D. Mich). This case involved the peddling of ephedra as the active ingredient in Metabolife by a person on probation for drug trafficking in methamphetamine. We forced Metabolife to cease representing that Metabolife had been

independently laboratory tested for safety, and believe that our case was one of the factors that ultimately led the United States government to ban ephedra in dietary supplements.

Please note that I was the first plaintiff's class action attorney to be recognized by the judges of the Eastern District of Michigan as the sole recipient of the annual Cook Friedman Civility Award in 2017 and have been routinely voted and recognized in *Chambers*, *Super Lawyers*, *Leading Lawyers* and *Best Lawyers* as one of the top attorneys in Michigan. I have been named one of the top 10 lawyers in Michigan for nine consecutive years, from 2009-2017, by *Super Lawyers Magazine*. I have twice won the Best-of-the-Company Lawyer of the Year Award from *Best Lawyers in America*. I am one of eight lawyers ranked as "band one" by *Chambers* in Michigan, and ranked number one in Michigan for commercial litigation by *Leading Lawyers*. Our Firm has also been consistently ranked top tier by *US News and World Report*.

As for resources, MLF has 30 attorneys, all of whom have experience in prosecuting fraud cases. The Firm has no debt, a policy against using third party funders, and the capital to immediately pay a seven figure assessment for the prosecution of this case.

The Firm has worked with the vast majority of the top class action and complex litigation firms in the United States. Based upon that experience, in many cases, it has chosen to co-counsel, as it did for Wayne, Oakland and Monroe counties, with Robbins Geller. Robbins Geller, with 200 attorneys in 10 offices nationwide, represents consumers across the country in a variety of important and unprecedented class actions. Robbins Geller's attorneys have taken a leading role in many of the largest federal and state consumer fraud, environmental, human rights and public health cases throughout the United States.

MLF has enjoyed an excellent working relationship with Robbins Geller on many important cases and believes the quality of their work is second to none.

The Miller Law Firm and Robbins Geller are the right law firms to fight for Cheboygan County's interests in the opioid litigation and I hope our firms are given favorable consideration. I would be happy to meet and present in person.

Sincerely,

THE MILLER LAW FIRM, P.C.



E. Powell Miller

Tab I – Transmittal Letter

Provide a transmittal letter indicating your understanding of the requirements of this specific job proposal. The letter must be a brief formal letter (1-2 pages) that provides information regarding the attorney's or law firm's interest in and ability to perform the requirements of this RFP. A person who is authorized to commit the law firm's organization to perform the work included in the proposal must sign the letter in ink.

The transmittal letter is included in this tab.

Tab II – Attorney or Law Firm Profile

Provide a lawyer or law firm profile describing law firm and include all of the following:

- 1. The official name of the attorney or law firm;**

The Miller Law Firm, P.C. (“The Miller Law Firm” or the “Firm”)
- 2. The attorney’s or law firm’s organizational structure (e.g. corporation, limited liability company, etc.);**

Domestic Professional Corporation
- 3. The jurisdiction in which the lawyer or law firm is organized and the date of such organization;**

The Miller Law Firm is organized in the State of Michigan, incorporated on April 3, 2006.
- 4. The address of the lawyer’s or law firm’s headquarters, any local office involved with the contract; and the address/location where the actual production of goods and/or services will be performed;**

The Miller Law Firm, P.C.
950 W. University Dr., Ste. 300
Rochester, MI 48307
(T): 248-841-2200
(F): 248-652-2852
- 5. The lawyer’s or law firm’s federal tax identification number;**

20-1111111
- 6. The name, address, telephone number, fax number, and e-mail address of the person(s) who will serve as the contact(s) to the County, with regards to the RFP response; and with authorization to make representations on behalf of and to bind attorney or law firm; and,**

E. Powell Miller
The Miller Law Firm, P.C.
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Rochester, MI 48307
epm@millerlawpc.com
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950 W. University Dr., Ste. 300
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(T): 248-841-2200
(F): 248-658-2852

7. **A representation that the lawyer or law firm is in good standing with the state in which it is located and will have all necessary licenses, permits, certifications, approvals and authorizations necessary in order to perform all of its obligations in connection with this RFP.**

The Miller Law Firm is in good standing with the State of Michigan and has all necessary licenses, permits, certifications, approvals, and authorizations necessary in order to perform all of its obligations in connection with this RFP.

Tab III – Contract Approach & Understanding

Rating will be based on an assessment of your knowledge and understanding of the nature of the work as necessary to successfully complete assigned tasks under this contract. Provide a narrative of your understanding of the overall intent of this RFP as well as the means that will be used to provide legal services. Indicate how your organization will be integrated with the County staff to achieve a teamwork approach. Describe how you will solicit, receive and incorporate comments and/or suggestions from County personnel.

A. Intent of RFP and Legal Services The Miller Law Firm Will Provide

The Miller Law Firm understands that the County of Cheboygan wishes to pursue legal claims against various pharmaceutical manufacturers and/or distributors that have engaged in violations of the law by the fraudulent marketing and sales of certain highly addictive, opiate-derived painkillers for purposes for which they were neither safe nor effective.

The Miller Law Firm has already been retained by Wayne, Oakland and Monroe Counties. On October 12, 2017, The Miller Law Firm filed a 374-paragraph complaint in the U.S. District Court for the Eastern District of Michigan against several manufacturers and distributors of opioids.

B. The Case Against the Opioid Industry

The opioid epidemic is a major crisis. In 2016 alone, Michigan healthcare providers wrote 11 million prescriptions for opioid drugs, which is more annual opioid prescriptions than Michigan has people.

This case is about three basic wrongs: (1) manufacturers had a false information campaign to promote opioids for common chronic pain by downplaying the grave risk of addiction; (2) manufacturers paid supposedly neutral organizations to distribute false information promoting opioids; and (3) distributors failed to report suspicious orders.

The following chart reflects the defendants:

Manufacturers

Purdue Pharma L.P.
Cephalon, Inc.
Teva Pharmaceutical Industries, Ltd.
Teva Pharmaceuticals USA, Inc.
Endo International PLC
Janssen Pharmaceuticals, Inc.
Insys Therapeutics, Inc.
Mallinckrodt Plc
Mallinckrodt Pharmaceuticals

Distributors

AmerisourceBergen Corporation
Cardinal Health, Inc.
McKesson Corporation

The following causes of action are asserted against the defendants: (1) Violation of Michigan Consumer Protection Act (all Defendants); (2) Public Nuisance (all Defendants); (3) Negligence (all Defendants); (4) Unjust Enrichment (all Defendants); and (5) RICO (Manufacturing Defendants).

C. The Miller Law Firm's Commitment to Collaborate with the County

The Miller Law Firm will solicit, receive, and incorporate comments and/or suggestions from County personnel through open dialogue and ensuring that the County is consistently kept up to date on the investigation and drafting of any pleadings. To accomplish this goal, the Firm is committed to scheduling routine calls, meetings or presentations, as needed, to discuss or explain strategy, as well as afford ample lead time for the County to review and comment on any pleadings or filings in the litigation.

Tab IV – Project Team Qualifications and Experiences

Provide a narrative describing the role of and introducing each key individual in your entity who are located in Michigan and who will, when needed, provide services to the County under the contract. If one is available, provide an organization chart that shows the functional relationships between your entity, its sub-consultants (if any), and Cheboygan County. Show lines of communication, authority, and assigned responsibilities, including will your entity provide all services through its attorneys, or do you intend that other attorneys or other law firm(s) may be involved. Proposers that will supply all services to the County from in-house personnel are preferred.

The Miller Law Firm is the premier fraud and complex litigation law firm in Michigan. Since the Firm's founding in 1996, the Firm has developed a national reputation and serves as lead counsel in major cases in courts throughout the country. Many of its key attorneys have represented clients for more than 30 years in complex litigation. What began as a three-person firm in 1996 has grown into a 31-lawyer, nationally recognized litigation boutique. The Firm has recovered over \$3 billion for its clients.

The Firm is ranked Tier 1 by *U.S. News, Best Lawyers*. The majority of the attorneys with The Miller Law Firm have been named "Michigan Super Lawyers" by *Super Lawyers*, a publication which lists the top five percent of practicing attorneys in each state, as selected by their peers. Several of the Firm's attorneys are ranked in the top 100 attorneys in Michigan in that publication and E. Powell Miller, the Firm's founder, is consistently ranked in the top 10 in Michigan.

The Firm has extensive experience representing clients in both class actions and individual suits involving complex legal and factual issues, including securities, antitrust, consumer fraud and investments. As co-lead counsel, the Firm successfully represented the State of Michigan Retirement Systems as class representative against AIG and recovered \$970.5 million – the largest settlement resulting from the 2008 financial crisis; and, also, historically, the largest securities fraud settlement that did not involve a parallel SEC action or criminal investigation.

The Firm also represents business clients in complex commercial litigation involving intellectual property, contract and tort.

The Firm designates the following individuals as key members of the litigation team:

- a. **E. Powell Miller** is the founder of The Miller Law Firm. Powell Miller has been named one of the Top 10 lawyers in Michigan for nine consecutive years, from 2009-2017, by *Super Lawyers Magazine*, and in 2010 and 2015, he was the recipient of the *Best Lawyers – Lawyer of the Year* in the category of Bet-The-Company Litigation. See **Appendix A**. He has been named as one of the Best Lawyers in America every year since 2005. In 2017, Mr. Miller was the recipient of the Judge Friedman and Cook Civility Award, which is awarded to only one lawyer each year and requires, "the highest level of competency and professionalism." Mr. Miller has earned Martindale-Hubbell's highest rating, AV® Preeminent™ 5/5.0 for legal ethics and ability and a 10/10 from AVVO, a public rating system. Mr. Miller is also only one of eight attorneys in Michigan to receive the

highest Band 1 rating by *Chambers USA*, describing Mr. Miller as a “Superb trial lawyer” who “routinely acts for high-profile clients based across the [United] states.” See **Appendix B**. Mr. Miller has been ranked number one in Michigan for commercial litigation by *Leading Lawyers*. See **Appendix C**.

Mr. Miller focuses his practice on all aspects of litigation. He has been retained by institutional investors, public entities, Fortune 500 companies and other clients to represent them in litigation throughout the United States, including in Michigan, New York, Minnesota, New Jersey, Pennsylvania, Arkansas, Florida, Texas, Kentucky, Ohio, California, Colorado and Indiana.

Mr. Miller has won 13 consecutive trials, including verdicts in excess of \$5 million, \$10 million, \$16 million and \$23 million.

Mr. Miller currently serves on the Executive Committee for the Wayne State University Law School Board of Visitors and has served as a Co-Chair of the American Bar Association Procedures Subcommittee on class actions and multidistrict litigation. He also serves as Co-Chair of the Eastern District Federal Bar Association’s Antitrust Committee.

In 1986, Mr. Miller joined the Detroit law firm of Honigman, Miller, Schwartz and Cohn, where he was elected partner in 1990. In 1996, he formed his own firm and since the Firm’s formation he has led it to recover over \$3 billion on behalf of clients.

He has been licensed continuously by the State of Michigan since 1986. Mr. Miller’s resume is attached as **Appendix D**.

- b. **Sharon Almonrode** has focused on complex litigation for the majority of her career and she has represented clients in multiple trials and arbitrations. Ms. Almonrode chairs The Miller Law Firm’s class action practice where she oversees cases involving a myriad of issues, including consumer fraud, antitrust, ERISA, fiduciary breach and securities. She has participated in the recovery of over \$500 million on behalf of clients.

In 2010, she received the special distinction of Michigan Leader in the Law, awarded by *Michigan Lawyers’ Weekly*. For the past four years, Ms. Almonrode has been named one of the top 50 Women Super Lawyers in the State of Michigan (out of approximately 11,000 women practicing in the state). For the past three years, she has been named one of the top 100 Lawyers in Michigan (out of 34,204 lawyers in the state). She was named one of the top five Consumer Lawyers in the State of Michigan for 2016. Ms. Almonrode was recently named among the most notable women lawyers in Michigan by *Crain’s Detroit Business* for 2017. She has earned Martindale-Hubbell’s highest rating, AV[®]Preeminent[™] 5/5.0 for legal ethics and ability.

She is admitted to practice in both federal and state district and appellate courts in Michigan and New York; and she is admitted to practice in federal court in the U.S. District Court for the Northern District of Illinois and the U.S. Supreme Court. She is a member of the New York and Michigan Bar Associations, the Federal Bar Association and the Eastern District of Michigan Chapter, Federal Litigation Section and the American Bar Association, Litigation Section and Committee for Class Actions.

An example of her litigation successes includes the litigation of a case involving pension underfunding on behalf of a private pension fund against its actuary which was successfully resolved for \$110 million. Also, on behalf of a private self-funded employee health and welfare plan in a suit against an insurance company alleging the improper assessment of a surcharge barred by statute, she obtained a summary judgment on liability, affirmed by the Sixth Circuit. The surcharge had been assessed to the majority of the insurance company's self-funded private and public health and welfare clients for more than a 15-30 year period until she discovered the illegality. Ms. Almonrode also resolved a certified class action involving the taxation of retirement benefits in an ERISA exempt top-hat plan. Following class certification, she won summary judgment on the merits. Prior to trial on the issue of damages, the case was settled with class members receiving 100 percent recovery.

She is currently on the Plaintiff's Steering Committee in litigation against Mylan arising from the alleged over-pricing of Epipens.

She has been continuously admitted to the Michigan Bar since May 1982.

Rating will be based on the ability of attorney(s) employed in your entity's proposed team to perform the contracted services. Resumes of proposed attorney(s), as provided, and information presented in this section will be evaluated for ranking the Proposer under this item. Identify the location of your staff and indicate how such staff will ensure responsiveness to the County.

The Firm's staff will ensure responsiveness to the County by designating two lead attorneys for direct communication with the County on all aspects of investigation and litigation. The Miller Law Firm understands that in certain types of litigation, Cheboygan County does not wish to retain multiple attorneys to staff a single litigation. In that circumstance, backup coverage is critical. The Miller Law Firm employs many competent attorneys at the partner and associate level who are capable of stepping into a case as required. For larger, major complex litigation, the cases will be staffed from inception such that any backup coverage should not be an issue. The chart below contains the attorney background and location of the attorneys with the Firm.

Attorneys	Role	Expertise	Years of Experience	Years Licensed by State of Michigan	Licensure Number	Location
E. Powell Miller, CEO	CEO, Partner	Complex Litigation	30 years	30 years	P39487	Rochester, MI
Sharon S. Almonrode	Partner	Complex Litigation	35 years	35 years	P33938	Rochester, MI
Marc L. Newman	Partner	Complex Litigation	22 years	22 years	P51393	Rochester, MI

Melvin (Butch) Hollowell, Jr.	Partner	Complex Litigation	32 years	32 years	P37834	Detroit, MI
Ann L. Miller	Partner	Complex Litigation	27 years	27 years	P43578	Rochester, MI
Martha J. Olijnyk	Partner	Complex Litigation	17 years	17 years	P60191	Rochester, MI
Brian E. Etzel	Partner	Complex Litigation	21 years	21 years	P54905	Rochester, MI
David B. Viar	Partner	Complex Litigation	27 years	27 years	P43479	Rochester, MI
Richard (Tony) L. Braun II	Partner	Complex Litigation	40 years	40 years	P26408	Rochester, MI
Kevin F. O'Shea	Partner	Complex Litigation	29 years	29 years	P40586	Rochester, MI
Christopher D. Kaye	Partner	Complex Litigation	16 years	16 years	P61918	Rochester, MI
Lawrence J. Murphy	Partner	Complex Litigation	27 years	27 years	P47129	Rochester, MI
Emily E. Hughes	Partner	Complex Litigation	12 years	12 years	P68724	Rochester, MI
Devon P. Allard	Partner	Complex Litigation	9 years	9 years	P71712	Rochester, MI
January A. Dragich	Associate	Complex Litigation	15 years	15 years	P63108	Rochester, MI
Richard L. Merpi II	Associate	Complex Litigation	5 years	5 years	P75255	Rochester, MI
M. Ryan Jarnagin	Associate	Complex Litigation	7 years ¹	4 years	P76838	Rochester, MI
Rick A. Decker	Associate	Complex Litigation	9 years	9 years	P71606	Rochester, MI
Steven M. Zehnder	Associate	Complex Litigation	6 years	6 years	P74479	Rochester, MI
Mariell R. Lehman	Of Counsel	Complex Litigation	5 years	5 years	P74760	Rochester, MI
Lowell D. Johnson	Associate	Complex Litigation	6 years	6 years	P74333	Rochester, MI
Nancy K. Decker	Associate	Complex Litigation	8 years	8 years	P72815	Rochester, MI

¹Also licensed in Massachusetts in January 2010.

Identify working relationships, if any, that exist between the proposed project manager and other key personnel, including possible sub-consultants. Cite previous projects, if any, on which the proposed team members have worked together and their respective roles.

The Firm will associate in this matter with the law firm of Robbins Geller Rudman & Dowd LLP (“Robbins Geller”) as co-counsel, to investigate and litigate this matter. Robbins Geller, with 200 attorneys in 10 offices nationwide, represents consumers across the country in a variety of important and unprecedented class actions. Robbins Geller’s attorneys have taken a leading role in many of the largest federal and state consumer fraud, environmental, human rights and public health cases throughout the United States.

If sub-consultant(s) are listed as a part of the Proposer’s team, the Proposer shall provide a letter from each sub-consultant that indicates the sub-consultant’s intent to be a part of the team. Proposals submitted without the referenced letter(s) may result in the sub-consultant’s(s’) qualifications being eliminated from the review process.

The Firm will associate in this matter with Robbins Geller as co-counsel to investigate and litigate this matter. A letter of intent from Robbins Geller is attached as *Appendix E*. Robbins Geller Biographies are attached as *Appendix F*.

Tab V – Previous Performance on Similar Jobs

Proposer shall provide any information which documents successful and reliable experience in past performance, especially those performances related to the requirements of the specialized nature of the legal services of this RFP. Related project experience shall be restricted to those assignments undertaken with the last five (5) years. Demonstrate your firm’s ability to work effectively with governments, as well as the ability to interact with all critical regulating agencies.

The Proposer must have a minimum of ten (10) years of providing acceptable legal experience with similar projects. The Proposer shall describe the experience on these projects, including scope, tasks performed, and related information, and furnish at least five (5) project references with contact names, titles, telephone numbers, email and mailing addresses. Project experience shall specifically describe the extent to which the Proposer has provided legal services related to services contained in this RFP.

The proposer shall furnish the names of three (3) public entities within the State of Michigan with whom the Proposer has acceptably contracted work within the past five (5) years (if applicable). If applicable, the Proposer shall include contact names and titles, name of agencies, telephone numbers, email and mailing addresses.

The Miller Law Firm has recovered more than \$3 billion for its clients. A summary chart of some of the results is attached as *Appendix G*.

The following is a list of references:

- (a) State of Michigan Retirement Systems
Contact: Robert L. Brackenbury, COO
& Director of Investments
Michigan Department of Treasury
2501 Coolidge Road, Suite 400
East Lansing, MI 48823-6352
Tel.: 517-373-3142
brackenbury@michigan.gov

The Miller Law Firm represented the State of Michigan Retirement System, and served as co-lead counsel in *In Re AIG 2008 Securities Litigation*, No. 08-CV-04772 (S.D.N.Y.). This engagement lasted from July 2008 to August 2015. The Miller Law Firm continues to be on the “approved list” for representation of the state.

- (b) Michael J. VanOverbeke,
as Outside Counsel for public pension funds.
VanOverbeke Michaud & Timmony P.C.
79 Alfred Street
Detroit, MI 48201
Tel.: 313.578.1200
mvanoverbeke@vmtlaw.com

The Miller Law Firm served as co-lead counsel for the case and Mr. Miller was lead trial counsel in *City of Farmington Hills Employees Retirement System v. Wells Fargo Bank, N.A.*, No. 10-4372 (DWF/JJG) (D. Minn.) from 2010 until the case's resolution on the eve of trial in 2014 and resulted in a \$62.5 million recovery for the class.

The Miller Law Firm served as co-lead counsel for the *Board of Trustees of the City of Birmingham Employees' Ret. Sys., et al. v. Comerica Bank*, No. 09-13201 (E.D. Mich.). The engagement lasted approximately four years (from 2009 through 2013) and resulted in an \$11 million recovery for the class.

The Miller Law Firm served as counsel for the funds (Charter Twp. of Clinton Police and Fire Pension System, City of Dearborn Heights Police and Fire Retirement System and City of Sterling Heights General Employees' Retirement System) in *In re Mercury Interactive Securities Litigation*, No. 05-3395 (N.D. Cal.). The engagement lasted approximately five years (from 2005 through 2010) and resulted in a \$117.5 million recovery on behalf of the class.

The Miller Law Firm served as co-lead counsel for the *City of Sterling Heights Police and Fire Ret. Sys. v. Abbey National, PLC*, No. 05-2141 (DC) (S.D.N.Y.). The engagement lasted approximately two years (from 2005 to 2007) and resulted in a \$525,000 recovery on behalf of the class.

- (c) Zenna F. Elhasan
Wayne County Corporation Counsel
500 Griswold Street, 30th Floor
Detroit, Michigan 48226
Tel.: 313-224-0055
zelhasan@waynecounty.com

The Miller Law Firm was recently retained to pursue legal claims against various pharmaceutical manufacturers and/or distributors which have engaged in violation of the law by fraudulent marketing and sales of certain highly addictive, opiate-derived painkillers for purposes for which they were neither safe, nor effective. See *In re: County of Wayne v. Purdue Pharma L.P.*, Case No. 17-13334 (E.D. Mich.), conditionally transferred to Multidistrict Litigation in the U.S. District Court for the Northern District of Ohio (MDL No. 2804).

- (d) Keith J. Lermaniaux
Corporation Counsel
Department of Corporation Counsel
Oakland County, Michigan
1200 N. Telegraph Rd, Bldg 14 East
Courthouse West Wing
Extension 3rd Floor
Pontiac, MI 48341
lermaniaux@oakgov.com

The Miller Law Firm was recently retained to pursue legal claims against various pharmaceutical manufacturers and/or distributors that have engaged in violation of the law by fraudulent marketing and sales of certain highly addictive, opiate-derived painkillers for purposes for which they were neither safe, nor effective. See *In re: County of Wayne v. Purdue Pharma L.P.*, Case No. 17-13334 (E.D. Mich.), conditionally transferred to Multidistrict Litigation in the U.S. District Court for the Northern District of Ohio (MDL No. 2804).

- (e) Penske Corp.
Robert Kurnick, President
2555 South Telegraph Rd.
Bloomfield Hills, MI 48302-0912
Tel.: 246-648-2000
rob.kurnick@penskecorp.com

The Miller Law Firm represents Penske Automotive Group in multiple complex litigation matters throughout the country and has done so since about 2000.

- (f) Peter Karmanos
Formerly CEO of Compuware, Inc.
Now Founder of MadDog Technology
233 Pierce Street
Birmingham, MI 48009
248-686-0900
jfournier@maddogtechnology.com

The Firm represented Peter Karmanos in an arbitration against Compuware which resulted in a \$16.5 million arbitration award. That representation lasted from 2013 to 2017.

The County reserves the right to contact any of the references provided in order to determine Proposer's performance record on work similar to that described in this request. The County reserves the right to contact references other than those provided in the response and to use the information gained from them in the evaluation process.

Tab VI – Proposed Costs

Use this section to describe your legal fees based on a contingent fee basis for the initial two (2) year term that will cover all services necessary for the complete and successful execution of this contract.

The Miller Law Firm and Robbins Geller would be paid 25% of any recovery for Cheboygan County. In addition, if the firms are appointed by the Court to engage in any common benefit work for the benefit of all MDL cases, the firms would be paid, just like every other firm selected, out of a settlement fund under Court supervision based on market rates.

Tab VII – Identification of Anticipated and/or Potential Contract Problems

Use this section to identify and describe any anticipated and/or potential contract problems, the attorney's or law firm's approach to resolving these problems, and any special assistance that will be requested from the County.

The Miller Law Firm does not anticipate any potential contract problems. In the unlikely event any such potential problems should emerge, the Firm is dedicated to immediately addressing any concerns directly with the County to identify a mutually agreeable course of action. Further, the Firm understands that in certain types of litigation, Cheboygan County does not wish to retain multiple attorneys to staff a single litigation. In that circumstance, backup coverage is critical. The Miller Law Firm employs many competent attorneys at the partner and associate level who are capable of stepping into a case as required. For larger, major complex litigation, the cases will be staffed from inception such that any backup coverage should not be an issue.

Tab VIII – Acceptance of Conditions

Provide a definitive statement of intent to comply with the Contractual Terms and Conditions as delineated in this RFP. If proposed terms and conditions are not acceptable as described, note and explain any exceptions; however, failure to agree to the terms required by law or County contractual requirements may be grounds for disqualification of the proposal.

The Miller Law Firm intends to comply with the Contractual Terms and Conditions as delineated in this RFP.

The Miller Law Firm certifies knowledge of Cheboygan County's Equal Opportunity Employment / Nondiscrimination Policy and guarantees to comply with the Equal Opportunity Employment / Nondiscrimination Policy and applicable state and federal laws, ordinances, rules/regulations related thereto.

Aelish M. Baig
AelishB@rgrdlaw.com

January 26, 2018

Jeffrey B. Lawson
Cheboygan County Administrator's Office
870 South Main Street
P.O. Box 70
Cheboygan, MI 49721

Re: ***County of Cheboygan's Request for Proposals to Represent Cheboygan County in Opioid Litigation***

Dear Mr. Lawson:

Robbins Geller Rudman & Dowd LLP ("Robbins Geller" or the "Firm") is pleased to submit the Firm's letter of intent to participate as co-counsel with The Miller Law Firm in the opioid investigation and litigation on behalf of Cheboygan County if The Miller Law Firm and Robbins Geller are selected by Cheboygan County. The Firm has worked with The Miller Law Firm, an experienced law firm with talented attorneys, on many important cases and obtained successful resolutions.

Robbins Geller and The Miller Law Firm are uniquely qualified to work alongside Cheboygan County to investigate and bring litigation on behalf of the County against the opioid pharmaceutical manufacturers and distributors and any other potentially liable parties in order to protect its residents and serve the public interest. Robbins Geller is a national law firm comprised of 200 attorneys, including dozens of former federal and state prosecutors. The Firm has ten offices nationwide. Additionally, due to his reputation, Robbins Geller founding partner, Paul J. Geller, was recently selected to serve on the Plaintiffs' Executive Committee of the multidistrict opioid litigation (*In re: National Prescription Opiate Litigation*, MDL No. 2804), which comprises more than 180 cases related to the opioid crisis.

The Firm attorneys have been recognized by state and federal courts across the country for excellence in prosecuting fraud cases: "As this Court has explained [this is] an extraordinary group of attorneys who achieved the largest settlement fund ever despite the great odds against them." *In re Enron Corp. Sec.*, 586 F. Supp. 2d 732, 827 (S.D. Tex. 2008). "[I]n the face of extraordinary obstacles, the skills, expertise, commitment, and tenacity of [Robbins Geller attorneys] in this litigation cannot be overstated. Not to be overlooked are the unparalleled results, \$7.2 billion in settlement funds, which demonstrate counsel's clearly superlative litigating and negotiating skills." *Id.* at 789. The Firm has obtained two of the five largest class action settlements on record, including the \$7.2 billion settlement in *Enron* (sole lead counsel) and a \$17 billion settlement in *Volkswagen*

Jeffrey B. Lawson
Cheboygan County Administrator's Office
January 26, 2018
Page 2

(member of Plaintiffs' Steering Committee). The Firm also litigated through trial (moving more than a dozen attorneys, other professionals and support staff to Chicago for the trial in 2009 and again for the retrial in 2016) and ultimately obtained a \$1.575 billion settlement in the *Household* action (sole lead counsel) on the first day of trial.

Moreover, Robbins Geller has successfully prosecuted and obtained numerous significant recoveries in connection with fraud cases brought against drug manufacturers and distributors, including Cardinal Health (\$600 million), Pharmacia Corporation (\$164 million), Wyeth (\$67.5 million, concerning a fraud regarding the safety of its key drug candidate), and Intercept Pharmaceuticals (\$55 million). Recently, Robbins Geller obtained a \$400 million recovery from Pfizer on the eve of trial in a case about Pfizer's deceptive off-label marketing of Bextra and other drugs and payment of kickbacks to doctors to promote sales. Robbins Geller has a long history of, and is currently, representing governmental entities across the country, including states, counties and cities, in a variety of fraud cases in state and federal courts. The Firm has already been retained by cities and counties in Michigan, Florida, Arizona and Maryland to investigate and prosecute opioid related claims against manufacturers and distributors. Robbins Geller has been investigating the activities of certain pharmaceutical distributors and manufacturers for more than a year. In assessing the strengths and weaknesses of the cases, we have used internal and external investigators, we have consulted and retained leading experts in the field, we have drafted numerous complaints and we have thoroughly analyzed the substantive legal issues and anticipated arguments from the defense bar.

Robbins Geller has a proven track record of successfully litigating the most complex, expensive and protracted cases without the need for co-counsel or external funding. Indeed, the Firm has unparalleled financial strength to fund this litigation, which it expects to be extremely costly, including cash reserves in excess of \$20 million, substantial credit lines (untapped), and E&O insurance of more than \$50 million. Robbins Geller has demonstrated success in funding long-lasting, high-cost cases such as *Household*, which Robbins Geller filed in 2002, invested \$34 million in cash over 14 years, and settled in 2016 for \$1.575 billion.

We would be honored to provide legal services to the County in response to this RFP. If you have any questions or require any additional information, please do not hesitate to contact me. Thank you for your consideration.

Very truly yours,


AELISH M. BAIG