



**CITY OF BROADVIEW HEIGHTS  
RESOLUTION NO. 2025-71**

INTRODUCED BY MAYOR AND ENTIRE COUNCIL

**A RESOLUTION AUTHORIZING THE MAYOR TO PARTICIPATE IN THE  
COSTCO WHOLESALE CORPORATION MASTER SETTLEMENT AGREEMENT  
WITH RESPECT TO THE OPIOID LITIGATION IN THE CITY OF BROADVIEW  
HEIGHTS AND DECLARING AN EMERGENCY**

WHEREAS, the City Council has determined that it is in the best interest of the City in the Costco Wholesale Corporation Master Settlement Agreement with respect to the Opioid Litigation.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BROADVIEW HEIGHTS, COUNTY OF CUYAHOGA AND STATE OF OHIO:

SECTION 1. The Mayor is authorized to participate in the Costco Wholesale Corporation Master Settlement Agreement with respect to the opioid litigation as delineated in Exhibit "A" attached hereto and made a part thereof as if fully rewritten.

SECTION 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, peace, safety and welfare for the reason stated in the Preamble hereof, and provided it receives the affirmative vote of five (5) or more of the members of Council and signature of the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed and Adopted by the Council on this 28<sup>th</sup> day of April, 2025

Robert Boldt, President of Council

  
\_\_\_\_\_  
Samuel J. Alai, Mayor

April 28, 2025  
Date

  
\_\_\_\_\_  
Attest: Robin Parsons, Clerk of Council

April 28, 2025  
Date

## Exhibit B

### Costco Wholesale Corporation Settling Subdivision Participation and Release Form

Governmental Entity: <u>City of Broadview Heights</u>	State: <u>OH</u>
Authorized Official: <u>Samuel Alai</u>	
Address 1: <u>9543 Broadview Rd</u>	
Address 2:	
City, State, Zip: <u>Broadview Heights, OH 44147</u>	
Phone:	
Email:	

The governmental entity identified above (“*Settling Subdivision*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Master Settlement Agreement dated \_\_\_\_\_, 2025 (“*Costco Settlement*”), and acting through the undersigned authorized official, hereby elects to participate in the Costco Settlement, release all Released Claims against all Released Entities, and agrees as follows.

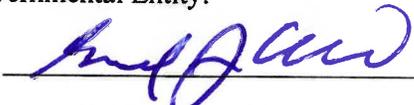
1. The Governmental Entity is aware of and has reviewed the Costco Settlement, understands that all terms in this Settling Subdivision Participation and Release Form have the meanings defined therein, and agrees that by executing this Settling Subdivision Participation and Release Form, the Governmental Entity elects to participate in the Costco Settlement and become a Settling Subdivision as provided therein.
2. The Governmental Entity through its counsel shall promptly move to dismiss with prejudice any Released Claims that it has filed.
3. The Governmental Entity agrees to the terms of the Costco Settlement pertaining to Settling Subdivision as defined therein.
4. By agreeing to the terms of the Costco Settlement and becoming a Releasor, the Governmental Entity is entitled to monetary payments.
5. The Governmental Entity, as a Settling Subdivision, hereby becomes a Releasor for all purposes in the Costco Settlement, along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any

Subject to Federal Rule of Evidence 408 and State Equivalents

Released Entity in any forum whatsoever. The releases provided for in the Costco Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Costco Settlement shall be a complete bar to any Released Claim.

6. Nothing herein is intended to modify in any way the terms of the Costco Settlement, to which Governmental Entity hereby agrees. To the extent this Settling Subdivision Participation and Release Form is interpreted differently from the Costco Settlement in any respect, the Costco Settlement controls.

I have all necessary power and authorization to execute this Settling Subdivision Participation and Release Form on behalf of the Governmental Entity.

Signature:   
Name: Samuel J. Alai  
Title: Mayor  
Date: April 28, 2025