MAYOR & CITY COUNCIL OF BALTIMORE, **Plaintiff,** **v.** **PURDUE PHARMA, L.P., *et al.*,** **Defendants.**	**IN THE** **CIRCUIT COURT** **FOR BALTIMORE CITY** **Case No. 24-C-18-000515**

ORDER FOR ABATEMENT RELIEF

Plaintiff Mayor and City Council of Baltimore (the "City") sued numerous manufacturers and distributors of prescription opioids in this action alleging that the Defendants are legally responsible for the City's opioid problems. The action came to trial beginning in September 2024 against two of the distributor Defendants: McKesson Corporation ("McKesson") and AmerisourceBergen Drug Corporation ("AmerisourceBergen" or "ABDC"). The jury phase of the trial occurred in September, October, and November 2024. The jury found both Defendants liable for public nuisance and awarded a total of $266,310,333 in damages allocated between them. The Court conducted the abatement phase of the trial, without a jury, in December 2024.

On June 12, 2025, the Court issued a Memorandum Opinion deciding all post-trial motions filed by both Defendants challenging the jury verdict. The Court denied both Defendants' motions for judgment notwithstanding the verdict and granted in part both Defendants' motions for new trial. The grants of a new trial were coupled with specific remittiturs as to each Defendant that allow Plaintiff City to avoid a new trial if it chooses to accept the reduced amounts of damages. The results were revised damages amounts after the remittiturs of $14,432,468 against Defendant AmerisourceBergen and $37,417,509 against Defendant McKesson, for a total damages recovery of $51,849,977. The Court issued a separate Order for New Trial and Remittitur with respect to each Defendant.

The Court originally deferred ruling on the abatement remedy until the City accepts or rejects the remittiturs. At the City's request, however, with Defendants' agreement, the Court is now deciding the abatement issues so the City will know the potential full amount of its recovery if it accepts the remittiturs.

Based on the evidence and for all the reasons stated in both the June 12, 2025 Memorandum Opinion and the Memorandum Opinion on Abatement Remedy issued today, it is this 8th day of August, 2025, by the Circuit Court for Baltimore City, Part 26, hereby **ORDERED** that equitable abatement relief is **GRANTED** as provided in this Order.

It is further **ORDERED** that Defendant AmerisourceBergen shall pay to Plaintiff City the total sum of $27,986,753 for abatement measures the City will undertake pursuant to this Order. This sum is in addition to the amount of damages awarded by the jury and ordered by the Court. Defendant Amerisource Bergen shall pay $2,555,814 of this amount to the City no later than November 7, 2025, and shall pay the balance of $25,430,939 to the City no later than February 6, 2026.

It is further **ORDERED** that Defendant McKesson shall pay to Plaintiff City the total sum of $72,558,247 for abatement measures the City will undertake pursuant to this Order. This sum is in addition to the amount of damages awarded by the jury and ordered by the Court. Defendant McKesson shall pay $6,626,186 of this amount to the City no later than November 7, 2025, and shall pay the balance of $65,932,061 to the City no later than February 6, 2026.of.

It is further **ORDERED** that Plaintiff City shall use all of the funds paid to it pursuant to this Order either to pay litigation expenses in this action or to undertake measures to abate the public nuisance in Baltimore arising from the misuse of prescription opioids. The City may undertake those measures in conjunction with other measures it is taking using funds derived from settlements with other Defendants in this action.

It is further **ORDERED** that the funds paid to the City pursuant to this Order shall not be used to displace or replace expenditures the City has or would budget for ordinary City operations.

It is further **ORDERED** that the City shall account to the Court in detail for all of its expenditures of the funds paid to it pursuant to this Order. The City shall not be required to segregate those funds in a separate account or accounts or financial instruments. The City shall conserve the funds reasonably so they are available to pay for abatement measures over the ten-year period provided by the Court.

It is further **ORDERED** that, as part of its abatement measures, the City shall develop comprehensive information concerning the opioid use disorder treatment resources that are available in Baltimore for Baltimore residents. At a minimum, that information shall include the providers, the nature of the services they provide, and how many individuals they are serving, provided that the City does not have to compile such data on every office-based provider of buprenorphine.

It is further **ORDERED** that in all of its abatement activities, the City shall seek to promote and ensure the quality of treatment services provided to Baltimore residents and others who receive treatment in Baltimore, including establishing and maintaining clear and active lines of communication with State and other regulators responsible for licensing and monitoring treatment providers.

It is further **ORDERED** that Plaintiff City shall file written reports with the Court on the first business day after December 1, 2025, April 1, 2026, August 1, 2026, December 1, 2026, April 1, 2027, and August 1, 2027. In these reports, the City shall provide detailed information on the abatement measures it has undertaken. If the City uses the funds paid to it pursuant to this Order in conjunction with settlement funds from this action, then the City shall report on all of its

abatement efforts together. The City's reports shall include a detailed financial statement of what amounts from the funds paid to it pursuant to this Order the City has spent. In each report, the City also shall highlight activities and progress since the previous report as well as challenges and difficulties it faces with its abatement efforts. The Court is not prescribing the format of the reports, but the Court may provide feedback after reports are filed.

It is further **ORDERED** that either Defendant may file any comment, response, or request within thirty days after any report is filed by the City. Either Defendant also may request a hearing based on any report filed.

It is further **ORDERED** that, starting with January 1, 2028, the City shall file the same type of reports within five business days after January 1 and July 1 of each year, continuing until the ten-year anniversary of this Order.

It is further **ORDERED** that the Court reserves the possibility of vacating or amending this Order based on the City's election to accept or reject the remittiturs ordered by the Court.

It is further **ORDERED** that the Court retains jurisdiction to supervise and to modify this Order as necessary. This retention of jurisdiction shall not affect the appealability of this Order if it otherwise is appealable.

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Judge Lawrence P. Fletcher-Hill