



Mashpee Wampanoag Tribe
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Phone (508) 477-0208 * Fax (508) 477-1218

TRIBAL COUNCIL RESOLUTION 2023-RES-100

APPROVAL OF TRIBAL OPIOID SETTLEMENT AND PARTICIPATION AND RELEASE FORM FOR THE MCKINSEY & COMPANY, INC. SETTLEMENT

WHEREAS, the Mashpee Wampanoag Tribe (“Tribe”), is a federally recognized Indian Tribe with duly-enacted Constitution and the governing body of the Tribe is known as the Mashpee Wampanoag Tribal Council (“Tribal Council”); *and,*

WHEREAS, the Tribal Council, deems it essential under Article VI, § 2.A of the Mashpee Wampanoag Tribal Constitution (“Constitution”) to promote and protect the health, peace, morals, education, political integrity, economic security and general welfare of the Tribe and members of the Tribe; *and,*

WHEREAS, Pursuant to Article VI, § 2 of the Constitution, the Tribal Council is empowered to exercise certain powers, including the power to promote and protect the economic security and general welfare of the Tribe and its members, and the power to negotiate and enter into contracts with other governments and with private persons and corporate entities; *and,*

WHEREAS, our Tribal community has been deeply impacted, injured and traumatized by the effects of the Opioid crisis on its Tribal citizens; *and*

WHEREAS, our Tribal community has witnessed a tremendous loss of life, health, and the destruction of families and homes as a result of the Opioid crisis; *and*

WHEREAS, the vast and irreparable harm caused by the Opioid crisis continues daily and has impacted our Tribal community, and its future generations, physically, emotionally and financially; *and*

WHEREAS, the Tribe has been notified of an additional settlement reached to resolve opioid litigation brought by Tribes against McKinsey & Company, Inc; *and*

WHEREAS, McKinsey will pay approximately \$39,500,000.00 to participating federally recognized Tribes in a single payment in accordance with the terms of the settlement; *and*

WHEREAS, the Tribe is aware of evidence and research demonstrating that manufacturers knew that Opioids were more addictive than claimed and could cause (or did in fact cause) rampant addiction and harm to Tribal communities as set forth in the litigation filed; *and*

WHEREAS, the litigating parties have reached an agreement on the terms of the proposed settlements, which are open to all federally recognized Indian tribes, whether or not they filed lawsuits; *and*

WHEREAS, pursuant to the Tribal Participation Form and Release with McKinsey & Company, Inc., Tribes may use funds for prevention and abatement of the opioid epidemic, including payment of litigation fees and costs, if any; *and*

WHEREAS, the Tribe would like to participate in the McKinsey Tribal Opioid settlement and receive settlement funds to use towards abatement activities and to be allocated in accordance with the final formula approved by the Court; *and*

WHEREAS, the Tribal Council desires to submit the "Tribal Participation Form" that includes a RELEASE of all claims against McKinsey & Company, Inc. to receive settlement funds in accordance with the future allocation formula; *and*

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Council hereby approves the submittal of the McKinsey-Tribe Settlement Tribal Participation Form that includes a RELEASE of all claims against McKinsey & Company, Inc. in accordance with the settlement agreement entered by the parties.

BE IT FINALLY RESOLVED, that the Tribal Council hereby grants to the Tribal Chairman, or in his absence or unavailability, other Officer of the Tribal Council, the requisite authority and power for and on behalf of the Tribe to execute the McKinsey-Tribe Settlement Tribal Participation Form that includes a RELEASE of all claims against the subject parties' in accordance with the appropriate settlement agreement and take such further action necessary to effect the purposes of this Resolution.

All resolutions or parts of resolutions inconsistent with this resolution are repealed. This resolution is effective immediately and shall continue pursuant to the authority vested in the Tribal Council pursuant to Article VI, §§ 2.A. and D. of the Constitution.

CERTIFICATION


We, the undersigned duly elected Presiding Officer and Acting Secretary of the Tribal Council do hereby certify that the above Resolution was duly adopted on February 8, 2023, by the Mashpee Wampanoag Tribal Council which is composed of 13 members, of whom 9 constituting a quorum, were present at a regular meeting duly called, noticed, convened, and held on October 11, 2023, and that the foregoing Resolution was duly adopted by the affirmative vote of 8 members, with 0 opposing, and with 0 not voting and that said Resolution has not been rescinded or amended in any way.

Dated this 11th day of October, 2023



Cassie Jackson, Presiding Officer
Mashpee Wampanoag Tribal Council

ATTEST:



Winona Pocknett, Acting Secretary
Mashpee Wampanoag Tribal Council.

EXHIBIT A

McKinsey & Company, Inc. Tribal Participation and Release Form