



July 7, 2021

VIA ELECTRONIC MAIL

Daniel D. Grieser, Esquire
Solicitor Township of West Norriton

ATTORNEY-CLIENT PRIVILEGE

Re: ***Township of West Norriton , et al. v. Purdue Pharma , L.P., et al. (Coordinated Civil Action), Court of Common Pleas of Delaware County, Docket No. 2017-008095***

Dear David:

I write to provide an update on the Purdue bankruptcy proceedings. As you know, the Purdue defendants filed for bankruptcy on September 15, 2019. Kevin Maclay of Caplin & Drysdale is our bankruptcy counsel, through our participation in the Multistate Governmental Entity (“MSGE”) group, in both the Purdue bankruptcy proceedings and the Mallinckrodt bankruptcy proceedings. The MSGE is a group that includes 1,441 opioid-related cases filed on behalf of local government entities in various states.

The United States Bankruptcy Court for the Southern District of New York recently entered an Order authorizing the Purdue debtors to solicit votes on its Chapter 11 Plan of Reorganization (the “Purdue Plan”). The voting deadline is **July 14, 2021**, and all votes must be actually received on that date by 4:00 p.m. We have received a Master Ballot for voting on the Plan, which includes West Norriton Township and the other counties and municipalities we represent. You do not need to take any separate action. We will be submitting these materials timely, and in advance of the July 14 deadline.

The Purdue Plan is the result of months and months of intense negotiations and mediation sessions. Under the Purdue Plan, all monies are committed to opioid abatement uses, and the funds for government entity creditors (States and localities) flow through the National Opioid Abatement Trust (“NOAT”) to the State and localities under an allocation, with the funds being paid over time for qualified abatement uses. The MSGE group is a Purdue Plan proponent. This

101 WEST ELM STREET, SUITE 520, CONSHOHOCKEN, PA 19428 • TEL: 610-941-4444 • FAX: 610-941-9880 • TOLL FREE: 800-LAW-5432

NEW YORK • PENNSYLVANIA • NEW JERSEY • CALIFORNIA • ILLINOIS

WWW.BERNLLP.COM

means that we have committed to cast votes in favor of the Purdue Plan, and in return we received the advantage of having our bankruptcy counsel's fees paid and having consent rights with respect to plan documents. (We have similar rights and obligations in the Mallinckrodt bankruptcy proceedings as well.) We have been advised that objecting to the Purdue Plan would **not** be in the best interests of any of the local governmental entities that comprise the MSGE membership (including West Norriton Township). Also, even if those eligible to vote reject the plan, the Bankruptcy Court may nevertheless confirm and make it binding on all holders of the claims.

Importantly, at this point, it is still unclear exactly how any monies from the Purdue bankruptcy proceedings will flow into Pennsylvania and what the exact allocation between the State and local governments will be. Again, though, we recommend, and bankruptcy counsel recommends, that we continue our status as Plan proponents, and that we cast our votes in favor of the Purdue Plan.

Bankruptcy counsel has requested that we submit our Master Ballots in favor of the Purdue Plan in advance of the deadline and by Tuesday, July 13, 2021. **As such, we ask that you please confirm receipt of this correspondence and that you also confirm that you have no objection no later than July 13, 2021.**

Similar to Purdue, in the Mallinckrodt proceeding we will be casting votes in September of 2021 on the Mallinckrodt Plan as a group through the Master Ballot Method. This means our firm will complete and submit the Master Ballot when it is due, and you do not need to take any separate action. In order to receive the Master Ballot, however, we need to obtain the federal tax ID number from each of the counties and local governments. **Please send us West Norriton Township's federal tax ID number no later than Tuesday, July 13, 2021, so that we have that information for the Mallinckrodt proceeding.**

As always, thank you for the opportunity to represent West Norriton Township in the opioid litigation and please do not hesitate to contact me to discuss any questions or concerns regarding West Norriton Township's case.

Very truly yours,

/s/ Joseph J. Cappelli

Joseph Cappelli, Esq., Senior Partner
Marc J. Bern & Partners LLP
101 W. Elm Street, Suite 520
Conshohocken, PA 19428
(610) 234-0161

ATTORNEY-CLIENT PRIVILEGE