

From: [Christine Powers](#)
To: [AGO - Info](#)
Cc: [Stacey Greenspan](#); [Eric Zagar](#); [Justin O. Relford](#); [Jennifer Sarnelli](#); [Meagan Farmer \(mfarmer@gardylaw.com\)](#); [Henry Longley](#)
Subject: Information Request Under Vermont Public Records Law
Date: Thursday, September 2, 2021 11:20:37 AM
Attachments: [image001.png](#)
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[image003.png](#)
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[image006.png](#)
[image007.png](#)
[image008.png](#)
[2021-09-02 Vermont Public Records Law Request.PDF](#)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Sir/Madam,

On behalf of Stacey Greenspan, please see the attached letter.

Thank you,
Christine

Christine Powers, Legal Assistant



280 King of Prussia Road
Radnor, Pennsylvania 19087
Direct Dial: 484.270.1410
General Firm Phone: 610.667.7706
Direct Fax: 267.948.2512
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Writer's Direct Dial: 484-270-1441
E-Mail: sgreenspan@ktmc.com
Please reply to the Radnor Office

September 2, 2021

VIA EMAIL (ago.info@vermont.gov)

Vermont Attorney General's Office
109 State Street
Montpelier, VT 05609

Re: Information Request Under Vermont Public Records Law

Dear Sir/Madam:

Pursuant to Vermont Public Records Law, 1 V.S.A. §§ 315, *et seq.*, I hereby request copies of all documents and investigation files possessed by or in the custody and/or control of the Vermont Attorney General concerning Cardinal Health, Inc.'s ("Cardinal") distribution and sale of controlled substances, including (1) Cardinal's answers to the complaint, interrogatory responses, responses and objections to discovery requests, admissions made, and testimony given by any Cardinal director, employee or proffered expert in the action captioned *State of Vermont v. Cardinal Health, Inc. et al.*, in the Superior Court of Chittenden County (the "Action"); (2) documents reflecting (a) the number of suspicious orders of controlled substances by purchasers in Vermont and (b) the number of aforementioned suspicious orders that Cardinal investigated, reported to any state or federal agency, suspended and/or stopped; (3) communications with Cardinal concerning Cardinal's efforts to prevent the unlawful diversion of controlled substances; (4) communications with Cardinal concerning (a) any agreement to settle the Action and/or (b) the settlement referenced in the press release attached hereto as Exhibit A (the "AG Settlement"); (5) all documents provided by or on behalf of Cardinal concerning Cardinal's efforts to comply with, and Cardinal's monetary contribution to, the terms of the aforementioned settlement; and (6) documents evidencing the damages Vermont is seeking in the Action if the AG Settlement is not finally approved.

If any part or all of this request is denied, please cite the specific statutory exception upon which you base your refusal to release the information and advise me of the appeal procedures available to me under the law.

I would prefer the information to be provided in a CD format or via email. I will pay up to \$500 for search and review fees. If pre-payment of fees or copying costs is required, please notify me by telephone and I will forward a check in the appropriate amount. If pre-payment is not required, but the fees and costs exceed \$500, please inform me before you fulfill the request. My direct telephone number is (484) 270-1441. Thank you in advance for your attention to this matter.

Very truly yours,

KESSLER TOPAZ
MELTZER & CHECK, LLP



Stacey Greenspan

Enclosure

cc: Eric Zagar, Esq.
Justin Reliford, Esq.
Jennifer Sarnelli, Esq.
Meagan Farmer, Esq.

EXHIBIT A



OFFICE OF THE VERMONT ATTORNEY GENERAL

TJ Donovan, Vermont Attorney General

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Attorney General Donovan Announces Major Settlement with Opioid Distributors

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- Assistant Attorney General – Department of Mental Health

JULY 21, 2021

Contact: Charity Clark, Chief of Staff, 802-828-3171

Vermont to Receive Roughly \$60 Million from Cardinal, McKesson, AmerisourceBergen, and Johnson & Johnson

Attorney General Donovan today announced an anticipated settlement agreement in principle with three distributors of opioids sued last year by his office – Cardinal, McKesson, and AmerisourceBergen – and Johnson & Johnson, which manufactured and marketed opioids. This is a nationwide settlement agreement. The amount of Vermont’s portion of the settlement amounts to roughly \$60 million. The settlement agreement

- [Arthur J. Gallagher & Co Security Breach Notice to Consumers](#)
- [Nova Biomedical Security Breach Notice to Consumers](#)

also requires significant industry changes that will help
of crisis in the future. The settlement agreement would resolve investigations and litigation over the companies' roles in creating and fueling the opioid epidemic.



“Vermont will likely receive approximately \$60 million, and it is imperative that some of this money be directed to local communities to abate the opioid crisis,” Attorney General Donovan said.

The settlement agreement will resolve the claims of both states and local governments across the country, including those in Vermont. States have 30 days to sign onto the deal and local governments in the participating states will have an additional 120 days to join to secure a critical mass of participating states and local governments. Payments under the settlement will be maximized if state and local governments join together in support of the agreement.

The final terms of the settlement agreement are still under review.

In 2020, 157 Vermonters died of an opioid overdose, a 38% increase from 114 deaths in 2019

109 State St
Montpelier, VT 05609

(802) 828-3171

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Vermont's lobbyist registration and disclosure law applies to certain communications with and activities directed at the Attorney General. Prior to any interactions with the Office of the Vermont Attorney General, you are advised to review Title 2, Sections 261-268 of the Vermont Statutes Annotated, as well as the Vermont Secretary of State's most recent guide to compliance, available at <https://www.sec.state.vt.us/e>