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PLEASE RESPOND TO THE DALLAS OFFICE

March 17, 2023

Hon. Kent Cooper, County Judge  
County of Titus  
100 West First Street, Suite 200  
Mt. Pleasant, Texas 75455  
[kcooper@co.titus.tx.us](mailto:kcooper@co.titus.tx.us)

*Re:* *Texas Opioid Litigation;* in the 152<sup>nd</sup> District Court of Harris County,  
Texas; MDL Master Cause No. 2018-63587

## Direct Share Allocation Proceeds and Legislative Update

Greetings,

We understand that Titus County has received its first payment of the Direct Share Allocation monies. As your lawyers, we hope you feel proud of our combined work as a litigating subdivision.

As to the Direct Share proceeds, you are free to do with them as you wish. As part of the Texas Term Sheet, 15% of the proceeds go to the Counties with no strings attached. Based on our experience with opioid harm reduction issues, we recommend deployment of the monies on things such as:

1. Equipping all public buildings with Narcan;
2. Equipping all law enforcement personnel with Narcan, including school officers;
3. Liaising with your District Attorney about whether a drug court would be of use, and if so, we can work with you on the particulars;
4. Expanded urinalysis testing for diversion or probation programs; and
5. Providing Medication Assisted Treatment at your jail facility.

These are just a few suggestions that you might find useful as you contemplate how to best utilize these funds.

On the legislative front we provide the following update:

**DALLAS (Primary Office):**

1201 Elm St., Suite 3400  
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214-276-7680 (T)  
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**LOS ANGELES:**

3760 Kilroy Airport Way, Suite 680  
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**NEW YORK:**

420 Lexington Avenue, Suite 2848  
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212-634-1690 (T)  
214-320-0526 (F)

As you are aware, public nuisance is the legal theory upon which we applied the necessary pressure to obtain this tremendous result in opioid litigation, and we need to protect this cause of action for the Texas Counties and Cities. HB 1372 and SB 1034, which have been our focus during 88th legislature, strip Cities and Counties of their ability to bring a public nuisance lawsuit. We look forward to your continued support fighting to preserve this important tool for your constituents and Texans at large. Testimony from the March 15 hearing at Judiciary and Civil Jurisprudence can be found at:

[https://tlchouse.granicus.com/MediaPlayer.php?view\\_id=78&clip\\_id=24053](https://tlchouse.granicus.com/MediaPlayer.php?view_id=78&clip_id=24053)

Additionally, we will continue to rely on your support navigating the 55 or so opioid-related bills in the Texas Legislature over the coming months. We will keep you informed on bills of importance and continue to keep you apprised on the threat of HB 1372 and SB 1034.

Many thanks to you for the honor and privilege of being your counsel. We love our work, and we love representing Texas Counties in this historic endeavor.

Thank you,

*/s/JoDee Neil*

JoDee Neil  
Attorney

Attachment

JN/mm

cc: Jeffrey Simon (*via e-mail*)  
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