



NHOLA

New Hampshire Opioid Litigation Attorneys



SWEENEY | MERRIGAN
LAW



KP | LAW
The Leader in Public Sector Law

Your New Hampshire Legal Team Fighting the National Opioid Epidemic

New Hampshire Opioid Litigation Attorneys (NHOLA) is a consortium of local and national law firms filing suit against the world's largest pharmaceutical manufacturers and distributors to hold them accountable for flooding our communities with opioids, resulting in massive economic damages to New Hampshire cities and towns.

The NHOLA litigation, being brought on behalf of the taxpayers of New Hampshire municipalities, is aimed at recovering monetary damages from the pharmaceutical manufacturers and distributors for their role in the devastating opioid epidemic. The damages sought on behalf of individual cities and towns are for past costs including law enforcement, needle exchanges, Narcan, EMS, treatment services, etc., as well as future mitigation/abatement damages for the foreseeable expenditures of taxpayer dollars toward treatment, education, and prevention.

Some additional information about this litigation:

- **This is a Mass Tort litigation, *not* a Class Action.** A class action suit requires all participants to have essentially the same injuries. Here, the damages from one municipality to another are very different and thus this is not a class action. We are filing suit on behalf of individual municipalities; these lawsuits will be consolidated for pretrial and discovery purposes.
- **We are not suing individual doctors or pharmacies.** NHOLA believes the most effective approach to this litigation is to focus on the primary sources of this epidemic.
- **Individual municipalities will not have to bear the cost of the litigation.** The attorneys working on your case will *only* get paid from the verdict or settlement. The attorneys will front all costs and will *only* be reimbursed if successful.

Working with the NHOLA team benefits local New Hampshire municipalities because they will be represented by our consortium of lawyers that includes multiple national law firms as well as three MA firms with extensive mass tort litigation experience and a deep understanding of municipal law: [Sweeney Merrigan Law](#), [Rodman, Rodman & Sandman](#), and [KP Law](#), together with NH local counsel: [Bianco Professional Association](#).



Our consortium is the national leader in this litigation, with more opioid cases on file than any competing firm or group in the country.

**To learn more about how your municipality can get involved, contact us at
www.biancopa.com or (603) 225-7170.**



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Frequently Asked Questions

1. Is this litigation a Class Action or a Mass Tort?

This is a mass tort litigation, not a class action. *A class action suit requires all participants to have essentially the same injuries. Here, the damages from one municipality to another are very different and thus this is not a class action.* We are filing suit on behalf of individual municipalities. Each individual municipality will have its own right to either accept or reject its specific settlement offer. Should a particular municipality decide to reject all offers and go to trial, these cases will be tried *in New Hampshire* by our team of local and national attorneys.

2. Isn't the Attorney General already pursuing the defendants?

The AG has brought an action to recover damages on behalf of the State. *However, even if the Attorney General recovers funds on behalf of the State, there is no guarantee that any funds recovered in that action would directly benefit municipalities. Pursuing individual lawsuits on behalf of individual cities and towns will ensure that recovery money will go directly to the municipalities impacted by this crisis.* We feel that individual lawsuits by the municipalities will expand the scope of recovery throughout the State and better the municipalities as a whole. Moreover, this will not interfere in any way with the Attorney General's efforts to seek recovery on behalf of the State.

3. Where will these cases be filed?

Cases are being filed all over the country. In New Hampshire, we believe that cases should be filed in Federal Court and then consolidated into a Multidistrict Litigation (MDL) with other cases throughout the State and the country to address pretrial and discovery issues. After these issues are resolved, the cases will likely be settled or sent back to New Hampshire for trial. We believe this is the most efficient, least burdensome, and most cost effective way to pursue these cases against some of world's most profitable companies. While every municipality has the right to choose how its case is pursued, most municipalities have expressed a greater comfort level participating in the national litigation effort.

4. We don't have a lot of resources to commit to this. How much time is required?

Because this litigation is centralized in a MDL in Ohio, most of the discovery will focus on the defendants while the cases are there. A few cases will be worked up and tried before the others ("bellwether trials"); these cases will serve as a barometer for the other cases in the MDL and may lead to settlement discussions. If settlement offers are obtained, each municipality will decide whether to accept or reject its specific offer. If the offer is rejected, the case will return to New Hampshire for trial. *We have a comprehensive legal team with extensive municipal and trial experience to manage, oversee and facilitate any required involvement from the municipality, and there should be ample time to plan and manage any such participation by each municipality well in advance.*

5. How do the legal expenses work?

Because our consortium has more clients throughout the country than any other group of attorneys, we can provide great economies of scale. The costs involved in this litigation are likely to be substantial. Instead of those costs being shouldered by a small handful of clients, our costs (assuming there is a successful recovery) will be spread among our many clients throughout the country, resulting in much lower costs being deducted from the awards to the local municipalities. No up-front payment of costs will be required from the municipalities.

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Our National Opioid Litigation Consortium

In partnering locally with the New Hampshire Opioid Litigation Attorneys (NHOLA), your municipality will be supported by a national powerhouse, including many of the top lawyers in New Hampshire and the country. We are initiating litigation against some of the largest and wealthiest pharmaceutical companies, and our consortium will bring to bear the financial and human resources necessary to be successful.

As the national leader in this litigation, our consortium of lawyers have more opioid cases on file than any competing firm or group in the country. For that reason, our consortium has been appointed to many key leadership positions spearheading the national litigation on behalf of hundreds of cities and towns across the country, as part of the MDL consolidation.

This specialized legal team has had the opportunity to retain some of the country's preeminent experts including former DEA agents who were recently featured on the program 60 Minutes. Those former agents have agreed to testify exclusively for our group. We have also retained experts in the fields of addiction recovery, urban and rural blight, the economics of addiction, and others.

The NHOLA consortium extends beyond Bianco Professional Association, together with our MA partners, Sweeney Merrigan Law, Rodman, Rodman & Sandman, and KP Law, to include six other national law firms and several leaders of the national Plaintiff Steering Committee:

Paul T. Farrell, Jr., Greene Ketchum Farrell Bailey & Twell, LLP, Plaintiff Co-Lead Counsel

Troy Rafferty, Levin Papantonio, P.A., Plaintiff Co-Liaison Counsel

Michael J. Fuller, McHugh Fuller Law Group, Plaintiff Executive Committee

Peter Mougey, Levin Papantonio, P.A., Plaintiff Executive Committee

Roland Tellis, Baron & Budd, Plaintiff Executive Committee

LEVIN PAPANTONIO
Thomas • Mitchell • Rafferty • Proctor • P.A.

BARON & BUDD®



GREENE KETCHUM
FARRELL, BAILEY & TWEEL LLP
Personal Injury Attorneys

McHUGH FULLER
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HPCB&D
Hill, Peterson, Carper,
Bee & Deitzler, PLLC

POWELL & MAJESTRO P.L.L.C.



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