

OGDENSBURG CITY SCHOOL DISTRICT
OGDENSBURG, NEW YORK

SUBJECT: Resolution Authorizing Settlement of Vaping Litigation

DATE: September 25, 2023

REASON FOR BOARD CONSIDERATION:

WHEREAS, the Board of Education (the "Board") of the Ogdensburg City School District (the "District") previously authorized the District Superintendent to take all steps necessary to join a nation-wide lawsuit by school districts against Juul Labs, Inc. the largest seller of e-cigarettes in the United States and Altria Group, Inc. formerly known as Phillip Morris Companies, Inc. (the "Lawsuit"); and

WHEREAS, in or about January 2023, counsel for Juul Labs, Inc. and counsel for the plaintiff school districts reached an agreement in principle to resolve all claims against Juul Labs, Inc., as well as its corporate representatives (the "JUUL Settlement"); and

WHEREAS, the JUUL Settlement did not include the resolution or dismissal of any claims as against defendant Altria Group, Inc. formerly known as Phillip Morris Companies, Inc. (the "Altria Claims"); and

WHEREAS, following extensive negotiations, counsel for Altria Group, Inc. and counsel for the plaintiff school districts have reached an agreement in principle to resolve the Altria Claims (the "Altria Settlement"); and

WHEREAS, the Altria Settlement provides, in relevant part, that in exchange for a full release of claims against Altria Group, Inc., the District will receive monetary remuneration in the amount of \$8,367.00 (the "Settlement Amount") to be paid promptly upon the execution of all necessary settlement documentation and obtaining of all necessary court approvals.

RECOMMENDED ACTION:

Moved by _____ and supported by _____, that having the recommendation of the Superintendent of Schools, that the Board of Education of the Ogdensburg City School District hereby ratifies the Altria Settlement, a copy of which is incorporated into the minutes of this meeting, and authorizes the Superintendent of Schools to take any further actions necessary to effect the settlement authorized herein, on this 25th day of September 2023.

APPROVED FOR PRESENTATION TO THE BOARD:



Superintendent

YES: _____

NO: _____

ABSTAIN: _____