

MEMORANDUM

To: Indian Tribes and their Counsel
From: Special Master David R. Cohen, Tribal Allocation Appointee
Date: September 19, 2023
Subject: **Inter-Tribal Allocation of Free Naloxone (generic *Narcan*)**

This memorandum is intended for the widest possible distribution to all Tribes and their counsel. **Each Tribe interested in receiving free Naloxone must fill out the *Naloxone Interest Form* available at www.mdlcentrality.com by October 15, 2023.**

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Explanation: As most Indian Tribes¹ are aware, the Tribes reached a global Settlement Agreement of Opioid Litigation with Teva. In addition to agreeing to pay about \$119 million to the Tribes over 13 years, Teva also agreed to provide up to **400,000 doses** of Naloxone Hydrochloride Nasal Spray (generic *Narcan*), which is used for emergency treatment of opioid overdose. Specifically, Teva will provide up to 20,000 Naloxone boxes per year for 10 years, and each box holds two doses.² Interested Tribes may obtain these boxes ***for free***.

Each Tribe is entitled to a certain share of the Naloxone, as shown on the chart available at www.mdlcentrality.com. This chart is based on the “Purdue Allocation,” with a 12-box minimum.

¹ This memorandum uses the term “Tribes” in the same way as the Teva Settlement Agreement, to include: (1) a federally-recognized tribe, as provided in the Federally Recognized Tribe List Act of 1994, 25 U.S.C. § 5130; (2) a “tribal organization,” as defined in 25 U.S.C. § 5304(I); and an “inter-tribal consortium,” as defined in 25 U.S.C. § 5381(a)(5).

² Teva’s Naloxone is a generic version of Narcan. See www.tevanaloxone.com for a description.

If a Tribe wants to receive its share, it must fill out the *Naloxone Interest Form* available at www.mdlcentrality.com by October 15, 2023.

Naloxone boxes must be shipped to a Tribal Pharmacy or an Indian Health Service or other appropriate recipient within Indian Country, as designated by the Tribe. The Tribe can then distribute the Naloxone boxes as it sees fit, including to hospitals, schools, treatment centers, law enforcement, individuals, and so on. Naloxone must be stored in a location that does not exceed 77 degrees Fahrenheit or fall below freezing, and Naloxone expires after about 13 months.

If a Tribe does not timely fill out a *Naloxone Interest Form*, its share will be made available to other interested Tribes.

Thank you for your attention to this matter.