



REQUEST FOR PROPOSAL  
RESPONSE:

# STATE OF MICHIGAN OPIOID LITIGATION



# STATE OF MICHIGAN.

Scale 10 Miles to 1 inch  
1883

# TABLE OF CONTENTS

Cover Letter	4
Requested Information	4
Bidder Contact Information	4
Company Background Information	6
Experience	18
Conflict of Interest	19
SAAG Contract	
Fee Agreement	
Exhibit A - Current Client List	
Exhibit B - Resumes and CVs	
Exhibit C - State of New Mexico Amended Complaint	
Exhibit D - State of Hawai'i Complaint	
Exhibit E - Redline SAAG Contract	
Exhibit F - Proposed Fee Agreement	



### **Bernstein Law** | [callsam.com](http://callsam.com)

A life in the law, helping people, and working hard for their clients is a Bernstein family tradition. Three generations of Bernstein lawyers have demonstrated leadership in the legal, political and civic life of their Michigan community.



### **Levin Papantonio** | [levinlaw.com](http://levinlaw.com)

Levin Papantonio is a nationally recognized litigation firm that has built a reputation on its willingness to litigate to verdict complex disputes against some of the world's largest companies. The firm routinely litigates cases that require thousands of attorney hours and millions in expenses.



### **Baron & Budd** | [baronandbudd.com](http://baronandbudd.com)

Baron & Budd, PC was founded in 1977 and has offices in Dallas, Austin, Baton Rouge, New Orleans, Los Angeles and San Diego. Baron & Budd is one of the largest and most accomplished plaintiffs' law firms in the country.



### **Greene Ketchum** | [greeneketchum.com](http://greeneketchum.com)

Greene, Ketchum, Farrell, Bailey & Tweel LLP is considered one of the most experienced regional firms in the fields of medical malpractice and coal mining accidents. Greene Ketchum played a prominent role in the financing and litigation of thousands of asbestos cases over the past 30 years. Their skilled advocacy has returned millions of dollars in verdicts for their clients in both trial settings and settlements.



### **McHugh Fuller** | [mchughfuller.com](http://mchughfuller.com)

McHugh Fuller Law Group, established in 2006, is a trial firm that specializes in complex litigation and trials in the health and medical fields. The firm functions as an elite trial team made up of experienced litigators and legal writers. The attorneys at McHugh Fuller have tried hundreds of cases, obtaining multi-million-dollar verdicts in courts throughout the country.



### **Hill Peterson** | [hpcbd.com](http://hpcbd.com)

Founded in 1980, Hill, Peterson, Carper, Bee & Deitzler has extensive legal experience along with a broad network of resources to undertake a wide variety of complicated claims including, but not limited to Mass Torts and Class Action Litigation, Defective Drug Litigation, and Opioid Distribution Liability.



### **Powell & Majestro** | [powellmajestro.com](http://powellmajestro.com)

Founded in 2002, Powell & Majestro has been a premier resource for clients who want experienced, dynamic legal representation. The firm handles complex litigation including the representation of individuals and others who are victims of consumer fraud or are injured by defective products. Powell & Majestro attorneys are nationally recognized for their work in serious injury claims and have successfully tried numerous civil cases to verdict in state and federal courts.



### **Behm & Behm** | [behmandbehm.com](http://behmandbehm.com)

Behm & Behm is based in Flint, Michigan, with over 25 years of experience fighting for clients throughout Michigan. Behm & Behm has been dedicated to protecting the rights of injured people for decades.



### **Grewal Law** | [4grewal.com](http://4grewal.com)

The Grewal family has been serving the Mid-Michigan area for decades. Grewal Law continues that tradition with over 100 years of combined experience. Grewal's 14 attorneys have successfully recovered millions of dollars on behalf of their clients.



### **Welch Law** | [welch-law.com](http://welch-law.com)

The Welch Law Firm, PLC's clientele ranges from small family-owned business entities to mid-size corporations with a range of labor-employment needs. Welch's clients include builders and subcontractors, nonprofit associations and charities, service-based businesses (such as doctors' and dentists' offices) as well as several manufacturing entities.



### **Smith & Johnson** | [smith-johnson.com](http://smith-johnson.com)

Smith & Johnson, PC is a general practice firm established in Traverse City, Michigan by Louis A. Smith in 1974. Mr. Smith had practiced the previous ten years in Lansing, Michigan. Our firm is one of the largest in the area with a state-wide practice. While representing the regional and local interests of many national concerns, our broad base of experience allows us to service the day-to-day legal concerns of the people and businesses of northern Michigan.



### **Conybeare Law** | [conybearelaw.com](http://conybearelaw.com)

Conybeare Law Office, P.C. was founded by Bruce Conybeare in 1984, after 20 years of law practice. He wanted to stop the unfair treatment of accident and injury victims in our region. Over the years, our firm has attracted attorneys who are recognized for their skills and integrity by Super Lawyers, Million Dollar Advocates Forum, Best Lawyers and Leading Lawyers. Our success in upholding the rights of thousands of clients has helped us grow to be the largest full-service personal injury law firm in Southwest Michigan.



Based on NIDA statistics, over the last 35 days (roughly the time between this RFP being issued and its subsequent due date), 195 Michiganders will have died from an opioid overdose. The human toll is enormous.

While we mourn the loss of those that have succumb to opioids, we also must not forget the considerable financial burden that is shouldered by those left behind. Decreased tax revenue, increased health care costs, growing strain on law enforcement, and millions in state appropriations have impacted Michigan's ability to fund necessities like infrastructure and education. The people of Michigan are paying a steep price.

Meanwhile, the manufacturers and distributors of these highly addictive pills continue to rake in hundreds of billions of dollars off of this crisis, for which the citizens of Michigan are stuck paying for. In the same 35-day span, McKesson alone will have raked in \$20 billion in revenue.

With more and more dying each day and the expenditures piling up, the time for reflection is over. It is time that the people of Michigan stand up to those that continue to poison their communities and demand that the manufacturers and distributors of prescription opioids pay for the disaster they created.

To combat some of the largest companies in the world, the State of Michigan needs to hire firms that have a history of going toe-to-toe with pharmaceutical giants and coming out on top. Our group of firms has both the local presence needed to understand the problems Michigan is facing, but also a team of the most effective trial lawyers in this country.

We are eager to work in **close, collaborative partnership** with the State of Michigan to litigate this urgent and important case.

We understand that the fight against the opioid epidemic will take place on many fronts. It will take significant resources to account for the economic loss already experienced by the state. Potentially recoverable damages include:

- First responders
- Drugs such as Naloxone (Narcan)
- Medical Examiner expenses
- Public Hospital expenses
- Increased law enforcement expenses
- Drug courts
- Increased jailing expenses
- Substance abuse programs (including education, prevention, and treatment).

However, we also must ensure that this tragedy does not continue to play out in the future. We will fight to give Michigan the tools to take back their state and ensure this crisis does not spread any more. Our damage model includes prospective costs, or those costs associated with the ongoing cleanup of the opioid epidemic. Our team of experts, including diversion specialists from the DEA, the presidents of medical schools and universities, acclaimed researchers, and other great minds are working tirelessly to determine what our clients will need going forward. We envision that abatement will broadly cover three key areas.

First, we believe funding for education is essential. It is important that we get into the school systems and ensure that children understand that the pills in their parent's cupboards are just as dangerous as a heroin needle. They also need to understand that if a needle goes into their arm one time, it won't be the last. Public awareness campaigns regarding drug-seeking behavior from family and friends will also be needed.

Second, funding is needed to support the brave men and women of law enforcement and jailing so that the community can stay safe while your community works to addressing this crisis.

Third, and likely most importantly, to truly have a chance at rehabilitating the community funding is needed for healthcare and additional addiction recovery facilities that will help put an end to the cycle and plague of addiction. This will require extensive resources – and deservedly so.

This is not going to be a quick or easy fight and it will take a collection of great minds and tremendous resources to ultimately solve the opioid problem. That is why our team is committed to standing up to Big Pharma on Michigan's behalf, so that the good people of Michigan will not have to foot the bill any longer.

We look forward to fighting on your behalf.

# REQUESTED INFORMATION

## 1. BIDDER CONTACT INFORMATION

### **1.1. Identify the bidder's contact person for the RFP process. Include name, title, address, email, and phone number.**

Josh Gay  
Legal Investigator  
Opioid Department  
Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A.  
316 S. Baylen Street, Suite 600  
Pensacola, FL 32502-5996  
850.435.7193 (office)  
850.436.6193 (fax)  
jgay@levinlaw.com

### **1.2. Identify the person authorized to sign a contract resulting from this RFP. Include name, title, address, email, and phone number.**

Mark Bernstein  
Attorney  
The Sam Bernstein Law Firm, PLLC  
31731 Northwestern Hwy, Suite 333  
Farmington Hills, MI 48334  
800.225.5726 (office)  
248.737.4392 (fax)  
mbernstein@sambernstein.com

Peter Mougey  
Shareholder  
Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A.  
316 S. Baylen Street, Suite 600  
Pensacola, FL 32502-5996  
850.435.7068 (office)  
850.436.6068(fax)  
pmougey@levinlaw.com

Burton LeBlanc  
Shareholder  
Baron & Budd, P.C.  
3102 Oak Lawn Avenue #1100  
Dallas, TX 75219  
225.761.6463 (office)  
225.927.5449 (fax)  
bleblanc@baronbudd.com

## 2. COMPANY BACKGROUND INFORMATION

### 2.1. Identify the company's legal business name, address, phone number, and website.

The Sam Bernstein Law Firm, PLLC.  
31731 Northwestern Hwy, #333  
Farmington Hills, MI 48334  
888.225.5726  
callsam.com

Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A.  
316 S. Baylen Street, Suite 600  
Pensacola, FL 32502-5996  
850.435.7000  
levinlaw.com

Baron & Budd, P.C.  
3102 Oak Lawn Avenue #1100  
Dallas, TX 75219  
866.723.1890  
baronandbudd.com

### 2.2. Identify the State your business is organized in.

The Sam Bernstein Law Firm, PLLC. - Michigan

Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A. - Florida

Baron & Budd, P.C. - Texas

### 2.3. Identify the location (city and state) that would have primary responsibility for this work if awarded a contract.

Primary work on behalf of the State of Michigan will take place in Farmington Hills, Michigan, with work on the opioid litigation, as a whole, taking place in offices and courtrooms across the state and across the country.

### 2.4. Identify the practice group area, if applicable, proposed to handle the work.

The national law firms that comprise our legal team are considered giants in the complex litigation world, and between them have been actively involved in every major mass tort litigation since the days of asbestos. Between our firms, we have over 30 lawyers across the country dedicated to working full-time on this project, and an additional 200 attorneys and hundreds of support staff at our disposal.

### 2.5. Explain any partnerships and strategic relationships you have that would bring significant value to the State.

We are unlike any other firm or attorney group. As opposed to some attempting to pursue this litigation on their own, Bernstein, Levin Papantonio, and Baron & Budd have formed an unmatched legal team, backed by a National Consortium comprised of some of the preeminent trial firms in the country that specialize in pharmaceutical litigation.

This Consortium was not cobbled together to fight a single battle. Recognizing that the target defendants are some of the wealthiest corporations in the country, we are prepared to go the distance and hold them accountable.

We are leaders in opioid litigation, having filed some of the first cases in the country, driving litigation in both federal and state courts. Currently representing over 720 governmental entities in 32 states, our Consortium has

filed more opioid cases across the country than any other group.

In Michigan, we represent 57 counties and 19 municipalities covering nearly 70% of Michigan's population. Additionally, we also represent the States of Arkansas, Hawai'i, Louisiana, Mississippi, Nevada, New Mexico, and Ohio, and have successfully fought Defendants' removal attempts in New Mexico and motions to dismiss in Arkansas and Ohio. Throughout this process, our firms have worked together seamlessly and successfully to ensure the best possible outcome for all of our clients.

### Our Current Client List is attached as **Exhibit A**.

All of the firms in our legal team are nationally recognized litigation firms that have built reputations on their ability and willingness to litigate to verdict complex disputes against some of the world's largest companies. Large cases and powerful defendants are nothing new to us. We have fought and won cases against giants such as Big Tobacco, BP, Bayer, Merck, and DuPont to name just a few.

We are committed to representing all levels of government—states, counties, municipalities and tribes—and ensuring that they each are justly compensated for this public health crisis and for the costs imposed on them by the manufacturers and distributors of opioids.

**The Sam Bernstein Law Firm** is based in Grand Rapids and has served Michigan for more than half a century. The firm's legacy stretches even further, into the early 20th Century, spanning three generations. Every day, we are reminded of the history we must honor in our work for each client.

Our long tradition of hard work and commitment to fighting and winning for clients began in 1899, when attorney Mandell Bernstein was born in Detroit. Then, when attorney Estelle Koblin Nelson passed the bar in 1936, she established her own groundbreaking legacy that we remember every day.

Today, we follow in the footsteps of these pioneers while respecting the core values of integrity. We respect the honor and hard work that helped lay the foundation for the current generation of Bernstein attorneys.

Currently the firm is engaged in several significant mass tort litigation areas including pharmaceutical and medical device cases. Currently, The Sam Bernstein Law Firm is engaged in a consortium of law firms in the representation of approximately sixty Michigan municipalities (counties and cities) in the Multi-District Litigation (MDL) involving opioid manufacturers and distributors. These clients represent approximately 60% of Michigan's population and a majority of Michigan counties. Other notable pharmaceutical mass tort litigation experience includes the representation of Michigan plaintiffs against Merck in claims involving Vioxx.

**Levin Papantonio** was established in 1955 and is "AV" rated with nearly 40 attorneys and more than 150 support staff. In the past 25 years the firm has received more than 150 jury verdicts throughout the country in the amount of \$1 million or more each and has achieved verdicts and settlements in excess of \$3 billion. Two of its attorneys have been inducted into the National Trial Lawyer Hall of Fame and four have been listed in Best Lawyers in America. The firm pioneered the tobacco litigation and, recently, victories by Levin Papantonio attorneys, including Mike Papantonio and Jeff Gaddy, in the nationwide DuPont C8 litigation helped bring about a \$670 million settlement in February 2017. The firm's attorneys have been profiled by the New York Times, Los Angeles Times, Forbes, Time Magazine, Newsweek, Fox News, ABC News, CNN, The American Lawyer, and the National Law Journal. Firm attorneys are routinely called upon to speak at industry and legal education seminars across the nation.

Levin Papantonio is a nationally recognized litigation firm that has built a reputation on its willingness to litigate to verdict complex disputes against some of the world's largest companies. The firm routinely litigates cases that require thousands of attorney hours and millions in expenses.

**Baron & Budd, PC** is a professional corporation that was founded in 1977 with offices in Dallas and Austin, Texas; Baton Rouge and New Orleans, Louisiana; and, Los Angeles and San Diego, California. Baron & Budd is one of the largest and most accomplished plaintiffs' law firms in the country. The firm employs 55 attorneys and 121 support staff, which includes paralegals, legal secretaries, technical support personnel and accounting personnel.

For nearly 40 years, Baron & Budd has represented individuals, businesses, and public entities in matters from coast to coast. The firm's experience and capacity in complex litigation are virtually unmatched. Its primary focus is on representing plaintiffs on a contingency fee basis, and its significant areas of litigation include environmental damages cases, occupational and environmental injury cases, property damage claims, pharmaceutical injury cases, investor protection, consumer protection, and class action litigation.

In addition to our three firms, we have partnered with both a National Consortium and a Michigan-based Consortium of firms, to bring our claims against opioid manufacturers and distributors to a successful resolution.

These firms provide a distinct advantage to the State of Michigan. Below are four things that separate us from any other firm or group of firms:

#### **A. Pioneers of the Wholesale Distributor Litigation**

Our Consortium was the first to pursue litigation against the wholesale distributors on behalf of government entities, and our Consortium filed the motion to successfully create the nationwide multidistrict litigation (MDL) proceeding on behalf of the other public entity clients we represent.

As the first to litigate these cases, we have the most experience developing crucial evidence and litigating the common arguments made by Defendants. We have already conducted an in-depth investigation into the facts giving rise to liability of the opioid manufacturers and distributors and are already engaged in focus groups and mock trials to test trial strategies and defenses.

#### **B. Former DEA Officials and Exclusive Preeminent Witnesses**

Because the Firms in our legal team pioneered the pursuit of cases against the wholesale distributors and manufacturers for their conduct relating to the diversion of opioids, we have developed that aspect of the case significantly. We have consulted with and retained numerous seasoned veterans of the DEA, all with experience and knowledge of the breach of legal duties at the heart of the opioid epidemic. These experts are working exclusively with our legal team and will opine regarding the responsibilities of prescription opioid manufacturers and distributors to guard against the diversion of opioids into illicit channels. A number of these experts have been featured in a 60 Minutes expose that aired on CBS, highlighting the nefarious conduct of the pharmaceutical distributors. (The Whistleblower/Redemption, Oct. 15, 2017.) Those former agents have agreed to testify exclusively for our legal team.

Additionally, we have retained many of the country's preeminent experts in the fields of addiction medicine, pain management, epidemiology, public health, urban and rural blight, the economics of addiction, and others (e.g., presidents of universities, medical schools, and pharmacy schools, as well as heads of several government agencies), many of whom have published extensively on the subject of the opioid epidemic. These experts will help determine the amount needed to implement a strategic plan that will compensate our clients for past damages and future abatement costs.

#### **C. Our MDL Leadership**

The national law firms that comprise our legal team are considered giants in the complex litigation world, and between them have been actively involved in every major mass tort litigation since the days of asbestos. Between our firms, we have over 35 lawyers across the country currently working full-time on this project, and an additional 200 attorneys and hundreds of support staff at our disposal. This experience, combined with our extensive client list, our opioid litigation experience, and our stature within the MDL community has led to us receiving five of the 22 leadership roles in the Opioid MDL:

<b>Co-Lead Counsel:</b>	<b>Paul Farrell, Greene Ketchum</b>
<b>Co-Liaison Counsel:</b>	<b>Troy Rafferty, Levin Papantonio</b>
<b>Plaintiffs' Executive Committee:</b>	<b>Roland Tellis, Baron &amp; Budd Peter Mougey, Levin Papantonio Mike Fuller, McHugh Fuller</b>

Additionally, **Russell Budd** serves on the MDL Settlement Committee, meeting regularly with representatives of opioid manufacturers and distributors in good-faith attempts to resolve this litigation expeditiously, in a way that fairly compensates all plaintiffs not only for damages they have already incurred but also for future costs of abating the opioid epidemic.

**Burton LeBlanc** serves as the liaison counsel between the National Prescription Opiate Litigation MDL and the state Attorneys General, who have been invited by Judge Polster to participate in discussions regarding how to move forward in abating the opioid epidemic.

Our MDL leadership provides an incredible benefit not only to our clients in the MDL—ensuring that their communities' cries for help are heard—but also to clients who prefer to remain in state court. We will file in state court if that is the Attorney General's preference, and our team is experienced in successfully securing remand to state court following attempted removals to federal court that have occurred in this very litigation.



## **D. Trial Lawyers with Experience Representing States**

In addition to our MDL leadership roles, our Consortium is honored to represent the States of Arkansas, Hawai'i, Louisiana, Mississippi, Nevada, New Mexico, and Ohio. Drawing on our experience as pioneers of the wholesale distributor litigation, we filed one of the first comprehensive complaints by any state naming both opioid manufacturers and distributors in a single lawsuit—a model other states are now following. Our state clients have also survived a removal attempt in New Mexico and motions to dismiss in Arkansas and Ohio.

Beyond opioid litigation, our Consortium has also represented hundreds of public entities—including many states—in pharmaceutical, environmental, consumer, and securities litigation, pursuing claims against manufacturers, distributors, and other responsible parties for introduction of dangerous but otherwise lawful products into the marketplace.

The members of our Consortium are all trial law firms with unmatched experience in pharmaceutical litigation. Unlike many others, we are well staffed, experienced, and fully able to take our clients' cases to trial, if the need arises. No matter the case, no matter the client, we will do what's best for each of them, whether that means negotiating a settlement or trying their case to final judgment.

### **2.6 If you intend to use subcontractors to perform the work, disclose:**

As mentioned previously, Bernstein, Levin Papantonio, and Baron & Budd have formed a legal team backed by a national Consortium of firms. Additionally, we have engaged a local consortium of Michigan law firms that have been involved in the representation of over sixty Michigan government plaintiffs in the MDL opioid litigation. This local consortium adds significant value, experience and expertise to the State in the prosecution of this case. With both our National Consortium and the Michigan Consortium, we can offer the most talented group of attorneys from across the country and in your backyard.

#### **(1) the subcontractor's legal business name, website, address, phone number, and primary contact person;**

##### **National Consortium:**

###### **Greene, Ketchum, Farrell, Bailey & Tweel LLP**

419 Eleventh Street  
Huntington, WV 25701  
304.525.9115 (office)  
304.529.3284 (fax)  
greeneketchum.com  
**Paul T. Farrell, Jr.**  
Attorney  
paul@greeneketchum.com

###### **McHugh Fuller Law Group**

97 Elias Whiddon Road  
Hattiesburg, MS 39402  
601.261.2220 (office)  
601.261.2481 (fax)  
mchughfuller.com  
**Michael J. Fuller**  
Attorney  
mike@mchughfuller.com

###### **Hill, Peterson, Carper, Bee & Deitzler, PLLC**

500 Tracy Way  
Charleston, WV 25311  
304.205.1810 (office)  
304.345.1519 (fax)  
hpcbd.com  
**James Peterson**  
Attorney  
jcpeterson@hpcbd.com

**Powell & Majestro P.L.L.C.**

405 Capitol Street  
Suite P-1200  
Charleston, WV 25301  
304.346.2889 (office)  
304.346.2895 (fax)  
powellmajestro.com

**Anthony J. Majestro**

Attorney  
amajestro@powellmajestro.com

**Michigan Consortium:****Behm & Behm P.C.**

209 W.H. Schwartz Drive  
Flint, MI 48503  
810.234.2400 (office)  
810.239.5252 (fax)  
behmandbehm.com

**Michael J. Behm**

Attorney  
behmlaw@ameritech.net

**Grewal Law PLLC**

2290 Science Parkway  
Okemos, MI 48864  
517.245.0700 (office)  
517.393.3003 (fax)  
4grewallaw.com

**David S. Mittleman**

Attorney  
dmittleman@4grewal.com

**The Welch Law Firm, PLC**

230 Fulton Street E.  
Grand Rapids, MI 49503  
616.454.7618 (office)  
616.456.5434 (fax)  
welch-law.com

**Elizabeth M. Welch**

Attorney  
elizabeth@welch-law.com

**Smith & Johnson, PC**

603 Bay Street  
Traverse City, MI 49684  
231.946.0700 (office)  
231.946.1735 (fax)  
smith-johnson.com

**Timothy P. Smith**

Attorney  
tsmith@smith-johnson.com

**Conybeare Law Office, P.C.**

519 Main Street  
Saint Joseph, MI 49085  
269.983.0561 (office)  
269.983.5327 (fax)  
conybearelaw.com

**Barry Conybeare**

Attorney  
barry@conybearelaw.com

## (2) a description of subcontractor's organization;

### National Consortium:

**Greene, Ketchum, Farrell, Bailey & Tweel LLP** is a West Virginia limited Liability partnership originally founded in 1955 in Huntington, West Virginia. The law firm has 5 trial attorneys licensed in West Virginia, Ohio, and Kentucky with 6 members of the support staff and is considered one of the most experienced regional firms in the fields of medical malpractice and coal mining accidents. Greene Ketchum partner Paul Farrell recently served as liaison counsel and trial counsel for the transvaginal mesh MDL assigned to Charleston, West Virginia. Greene Ketchum played a prominent role in the financing and litigation of thousands of asbestos cases over the past 30 years.

Greene Ketchum attorneys have successfully tried numerous civil cases to verdict in state and federal courts. Their skilled advocacy has returned millions of dollars in verdicts for their clients in both trial settings and settlements. The firm's attorneys have been recognized by legal organizations for excellence and included in The National Advocates Top 100 Trial Lawyers and West Virginia Super Lawyers®.

Paul Farrell currently serves as co-lead counsel in the National Opioid MDL.

**McHugh Fuller Law Group**, established in 2006, is a trial firm based out of Hattiesburg, Mississippi that specializes in complex litigation and trials in the health and medical fields. With 8 attorneys and 27 support staff, the firm functions as an elite trial team made up of experienced litigators and legal writers.

The attorneys at McHugh Fuller are admitted to practice law in eighteen states including Tennessee, Alabama, Arkansas, Florida, Georgia, Illinois, Kentucky, Michigan, Mississippi, Missouri, New Hampshire, New York, Ohio, Oklahoma, Pennsylvania, Texas, West Virginia, Wisconsin, as well as the District of Columbia.

Our lawyers have tried hundreds of cases, obtaining multi-million-dollar verdicts in courts throughout the country. The attorneys at McHugh Fuller have amassed over three-hundred million dollars in jury verdicts alone and have successfully handled appeals before State Supreme Courts and Courts of Appeal in seven states, numerous Federal District Courts, the U.S. Courts of Appeal for the Fourth, Fifth, and Eleventh Circuits, and the United States Supreme Court. Most of the attorneys have A-V ratings and many have received recognition by various groups and publications as being top in their field of practice.

Michael Fuller currently serves on the Plaintiffs' Executive Committee in the National Opioid MDL.

**The Law Firm of Hill, Peterson, Carper, Bee & Deitzler** was founded in 1980 by Senior Partner, R. Edison Hill. Located in Charleston, West Virginia, the firm is structured with 5 Partners, 3 Associate Attorneys and 15 Staff Members. Our attorneys have extensive legal experience both in and out of the courtroom along with a broad network of resources to undertake a wide variety of complicated claims including, but not limited to Mass Torts and Class Action Litigation, Defective Drug Litigation, and Opioid Distribution Liability.

Hill Peterson's attorneys were awarded the prestigious Trial Lawyer of the Year award by Public Justice in 2005 for their work on the successful class action litigation Leach, et al. v. E. I. du Pont de Nemours and Company involving representation of plaintiffs who suffered various cancers and other illnesses due to exposure through drinking water to the chemical ammonium perfluorooctanoate ("PFOA" or "C-8"), a chemical utilized in the manufacture of Teflon. The firm's attorneys also served on the Plaintiffs Steering Committee for In re: E. I. DuPont de Nemours and Company C-8 Personal Injury Litigation, which has reached a global settlement of close to \$1 billion. Hill, Peterson, Carper, Bee & Deitzler, PLLC, has been designated by "Benchmark Plaintiff" (The Definitive Guide to American Leading Plaintiff Firms & Attorneys) as one of West Virginia's three top and "highly recommended" litigation law firms

**Powell & Majestro, PLLC** has been protecting the interests of individuals, families, and businesses in West Virginia, as well as handling complex litigation nationwide since 2002. Our three attorneys and two support staff have years of experience in complex litigation. The firm's practice areas include Consumer Protection, Maritime Law, Products Liability, Workplace Injuries, and Consumer Debt.

### Michigan Consortium:

**Behm & Behm P.C.** is based in Flint, Michigan, with over 25 years of experience fighting for clients throughout Michigan. Behm & Behm has been dedicated to protecting the rights of injured people for decades.

**Grewal Law PLLC** The Grewal family has been serving the Mid-Michigan area for decades. Grewal Law



continues that tradition with over 100 years of combined experience. Grewal's 14 attorneys have successfully recovered millions of dollars on behalf of their clients. Most notably, Grewal represented 111 of the 333 survivors in the lawsuits against Michigan State University for sexual abuse involving the former Michigan State University doctor, Larry Nassar.

It resolved in a \$500 million global settlement for the survivors. This settlement makes history as the largest settlement against a University for a personal injury claim involving sexual abuse.

**The Welch Law Firm, PLC's** clientele ranges from small family-owned business entities to mid-size corporations with a range of labor-employment needs. Welch's clients include builders and subcontractors, nonprofit associations and charities, service-based businesses (such as doctors' and dentists' offices) as well as several manufacturing entities. Additionally, Welch regularly assists high level executives and professionals with negotiations related to employment agreements and non-competition issues.

**Smith & Johnson, PC** is a general practice firm established in Traverse City, Michigan by Louis A. Smith in 1974. Mr. Smith had practiced the previous ten years in Lansing, Michigan. Our firm is one of the largest in the area with a state-wide practice. While representing the regional and local interests of many national concerns, our broad base of experience allows us to service the day-to-day legal concerns of the people and businesses of northern Michigan. We are committed to providing our clients the best representation in the most expeditious and professional manner possible. We provide the personal injury legal experience you need.

**Conybeare Law Office, P.C.** was founded by Bruce Conybeare in 1984, after 20 years of law practice. He wanted to stop the unfair treatment of accident and injury victims in our region. Over the years, our firm has attracted attorneys who are recognized for their skills and integrity by Super Lawyers, Million Dollar Advocates Forum, Best Lawyers and Leading Lawyers. Our success in upholding the rights of thousands of clients has helped us grow to be the largest full-service personal injury law firm in Southwest Michigan.

Conybeare is familiar with local doctors and expert witnesses. Conybeare regularly works with local employers, government representatives, and judges. Conybeare's staff also lives here, raises our families and volunteers here.

### **(3) a complete description of the services or products it will provide;**

#### **National Consortium:**

**Greene, Ketchum, Farrell, Bailey & Tweel LLP** will be involved in litigation strategy, drafting pleadings and discovery, taking depositions, and arguing in court.

**McHugh Fuller Law Group** will be involved in litigation strategy, drafting pleadings and discovery, taking depositions, and arguing in court.

**The Law Firm of Hill, Peterson, Carper, Bee & Deitzler** will be involved in litigation strategy, drafting pleadings, legal research, and coordination amongst clients.

**Powell & Majestro, PLLC** will be involved in litigation strategy, drafting pleadings and discovery, legal research, arguing in court, and appellate issues.

#### **Michigan Consortium:**

**Behm & Behm P.C., Grewal Law PLLC, The Welch Law Firm, PLC, Smith & Johnson, PC, & Conybeare Law Office, P.C.** along with Bernstein Law, represent over 60 Michigan clients in the opioid lawsuit. Their local knowledge and relationships will prove invaluable to the State, as litigation moves forward. We believe a collaborative approach between the State and the municipalities will maximize the impact of resolution.

### **(4) information concerning subcontractor's ability to provide the services;**

The financial resources of our Legal Team are robust. All of the firms in Legal Team firms have long histories of success and profitability, regularly taking on cases with millions of dollars in cost. Several of our firms have established lines of credit that ensure that we are financially capable of handling even the most complex and costly cases from outset to conclusion.

**(5) whether the bidder has a previous working experience with the subcontractor, and if yes, provide details of that previous relationship.**

Our Consortium began pursuing claims against opioid manufacturers and distributors in 2017, working together to represent over 720 states, counties, cities, towns, and sovereign tribes. Additionally, as the leaders in mass tort litigation, our firms have collaborated on numerous occasions in other litigation.

**2.7 State the name and title of the individuals you propose as key personnel. Attach resumes or CVs for each person.**

Full CVs / Resumes for Key Attorneys are attached as **Exhibit B**.

## BERNSTEIN LAW



### Mark Bernstein

Mark serves as the President and Managing Partner of The Sam Bernstein Law Firm, PLLC. In courtrooms and communities across Michigan he fights to make sure everyone gets a fair shake – not just powerful corporations and insurance companies. He continues the Bernstein family commitment to public service, work in government, business and the law.

Mark recently served as the Director of Michigan Governor Gretchen Whitmer's Transition Office leading the policy, political, legal, compliance, search and recruitment efforts related to establishing a new gubernatorial administration including the Executive Office of the Governor and state departments, agencies and commissions.

## LEVIN PAPANTONIO



### Mike Papantonio

Mike Papantonio is a senior partner with the law firm of Levin Papantonio. He has received numerous multi-million dollar verdicts on behalf of victims of corporate malfeasance. His award-winning work handling thousands of mass tort cases throughout the nation has helped make Levin Papantonio one of the largest plaintiff law firms in the country.

Mr. Papantonio is a Board Certified Civil Trial Lawyer by the Florida Bar and the National Board of Trial Advocacy. He is a fellow in the International Academy of Trial Lawyers and the International Society of Barristers. He is a member of The National Trial Lawyers (past president), American Board of Trial Advocates, the American Association for Justice, the Southern Trial Lawyers Association, and the Florida Justice Association (where he served on the board of directors for five years).

Mr. Papantonio is one of the few living attorneys inducted into the Trial Lawyer Hall of Fame. He is listed in the publications Best Lawyers in America and Leading American Attorney.



### Troy Rafferty | Plaintiffs' Co-Liaison Counsel (NATIONAL PRESCRIPTION OPIATE LITIGATION MDL No. 2804)

Troy Rafferty is a shareholder at Levin, Papantonio. He litigates mass tort, pharmaceutical, and major personal injury cases throughout the country.

Mr. Rafferty has been appointed to handle some of the nation's largest pharmaceutical and mass tort cases. He has been appointed to serve on many Plaintiffs' Steering Committees including the national Vioxx Litigation which resulted in a \$4.7 billion settlement and the national Zyprexa Litigation which resulted in a \$700 million settlement. Mr. Rafferty was also one of the leading attorneys in the national Rezulin Litigation. He and his partner obtained a \$40 million judgement for a woman who took this diabetes drug. Mr. Rafferty has successfully tried numerous complex pharmaceutical cases throughout the country and currently serves as the Plaintiff's Co-Liaison Counsel in the National Prescription Opiate Litigation MDL.



### Peter Mougey | Plaintiffs' Executive Committee (NATIONAL PRESCRIPTION OPIATE LITIGATION MDL No. 2804)

Peter J. Mougey is a shareholder and the Chair of Levin Papantonio's Securities and Business Litigation department. Recognized as one of Florida's top 100 trial lawyers and a Florida Super Lawyer in securities litigation, Mr. Mougey has represented hundreds of municipalities and governmental entities, in addition to the over 600 cities, counties, Native American Tribes, and states he currently represents in litigation against the manufacturers and distributors of prescription opioids. Mr. Mougey currently serves on the Plaintiff's Executive Committee in the National Prescription Opiate Litigation MDL, leading the case against all opioid distributors in the litigation.

In Mr. Mougey's securities and complex litigation practice, over the last five years, Mr. Mougey has represented many state, municipal, and institutional clients in litigation and arbitration, as well more than one thousand fraud victims in state and federal court and arbitrations across the country. He has recovered hundreds of millions of dollars on behalf of his clients.



### Jeff Gaddy

Jeffrey Gaddy is an associate attorney with Levin Papantonio who focuses his practice on mass tort litigation. While with the firm, Mr. Gaddy has worked on pharmaceutical cases involving the diabetes drug Actos, medical device cases involving pelvic mesh implants, and environmental cases like the ones involving C8 contamination.

Combined with Mr. Gaddy's prior career as a prosecutor, he has tried over 100 cases to verdict. In the civil realm, this includes being on a trial team that achieved a \$1.6 million verdict in C8 environmental contamination case, and being a member of the trial team of the case that mid-trial brought about the \$670 million settlement of the C8 litigation.



### Archie Lamb

Archie Lamb is a nationally recognized leader in national healthcare and physician issues, and serves as of-counsel with Levin Papantonio. Mr. Lamb was the designated lead counsel in the massive HMO RICO lawsuit, where he, as lead negotiator in the HMO cases, successfully resolved the claims with benefits to the class estimated to exceed \$2 billion. The case included over 60 healthcare companies, and Mr. Lamb was responsible for overseeing 26 law firms and over 170 lawyers in the litigation.

The first recipient of the California Medical Association's prestigious President's Award, Archie is a sought after speaker on legal issues facing healthcare professionals. He has appeared before the American Medical Association, numerous medical associations, bar groups, and legal and medical educational seminars, as well as on CNN and National Public Radio.



### Page Poerschke

Page A. Poerschke is an of counsel attorney in the Securities and Business Litigation practice group of Levin Papantonio. Ms. Poerschke has represented more than 60 state, municipal, and other institutional investors in securities litigation and arbitration. In addition, Ms. Poerschke has represented more than 400 individual securities fraud victims in FINRA arbitrations across the country, as well as in state and federal court. Ms. Poerschke has been appointed as a deputy attorney general to represent the State of Alabama in litigation involving companies that violated the registration provisions of the Sale of Checks Act.

Ms. Poerschke has obtained over \$300 million for clients in settlements and verdicts. Ms. Poerschke is a frequent speaker on issues confronting the securities industry, including FINRA arbitration procedures, arbitrator selection, electronic discovery, and has served as a guest lecturer at the University of Alabama School of Law and the Birmingham Bar Association.



### Laura Dunning

Laura S. Dunning is an of counsel attorney with Levin Papantonio. Ms. Dunning has twice been recognized as an Alabama Super Lawyer Rising Star in Securities Litigation. Ms. Dunning has represented more than 300 victims of securities fraud in the Financial Industry Regulatory Authority (FINRA) arbitration and in state and federal court. She recently obtained a \$1.95 million award in FINRA arbitration for a sophisticated investor who sustained losses in auction rate securities.

Ms. Dunning is a frequent speaker on issues confronting the securities industry, including FINRA arbitration procedures, arbitrator selection, electronic discovery and how to vacate arbitration awards, and has served as a guest lecturer at the University of Alabama School of Law. She is also a member of Public Investors Arbitration Bar Association (PIABA), an international organization of attorneys dedicated to the advancement of investors' rights in the securities industry.

## BARON & BUDD

### Russell Budd

Russell W. Budd is a major force in the world of plaintiff's attorneys, having devoted his three-decade career to championing the rights of people and communities injured by corporate malfeasance. Currently Mr. Budd presides over one of the nation's largest plaintiff's firms, Baron & Budd, PC, headquartered in Dallas, Texas with offices in Austin, Texas; Los Angeles, California and Baton Rouge, Louisiana.



Mr. Budd, a shareholder of Baron & Budd since 1985 and president and managing shareholder since 2002, has expanded the firm from its cornerstone asbestos practice to a national firm capable of tackling the biggest defendants in areas as diverse as pharmaceutical and medical device injury, water contamination, BP Gulf oil spill, financial fraud and various other areas of practice.

Over the last decade, Mr. Budd has played significant roles in asbestos litigation on a national level. As chair and member of several asbestos creditors' bankruptcy committees, Mr. Budd successfully resolved over 100,000 victims' claims with some of Wall Street's biggest companies.

### Burton LeBlanc

Baron & Budd shareholder Burton LeBlanc has successfully represented both individuals and governmental entities, including the States of Hawaii, Mississippi, Louisiana, and West Virginia in complex consumer fraud litigation. He was part of Baron & Budd's team that pursued litigation on behalf of seven states' attorneys general against GlaxoSmithKline regarding its fraudulent marketing of the diabetes drug Avandia, litigation which settled for \$177 million.



Mr. LeBlanc is a 2017 recipient of the Lifetime Achievement Honor from America's Top 100 Attorneys for his career dedicated to the protection of America's civil justice system. He was named as one of the top 75 plaintiff's attorneys in the United States by The American Lawyer in 2014 and has also been selected for inclusion in the Louisiana Super Lawyers' list from 2012 to the present.





### **Roland Tellis | Plaintiffs' Executive Committee** (NATIONAL PRESCRIPTION OPIATE LITIGATION MDL No. 2804)

Roland Tellis' practice at Baron & Budd focuses on complex, high-profile litigation, including consumer class actions, financial fraud, business torts, corporate misconduct, automobile defect, food labeling, false advertising, securities fraud, and environmental contamination.

He holds leadership roles in numerous multi-state, complex class action cases, including *Bias v. Wells Fargo Bank*, a certified nationwide RICO class action involving millions of mortgage loans that settled for more than \$50 million; *In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation*, a multi-state class action in the process of settling with values and fines totaling in the billions of dollars, involving hundreds of thousands of vehicles equipped with "defeat devices" designed to evade emissions laws; and *In re: Takata Airbag Products Liability Litigation*, which has received preliminary approval for a settlement valued at \$553 million.

### **Mark Pifko**



Mark Pifko, a Shareholder at Baron & Budd, specializes in the prosecution of high-profile class action cases against multi-national corporations. Mr. Pifko is a staunch advocate of consumers' rights and recently, he was named a "Rising Star" by Law360, a national legal news publication. Since joining the Los Angeles office of Baron & Budd in 2011, Mr. Pifko's efforts have led to the return of significant sums of money to victims of corporate wrongdoing and affected changes in the automotive, financial services, and food and beverage industries. Prior to joining Baron & Budd, Mr. Pifko spent nearly a decade representing some of the world's largest companies in high-stakes litigation.

In addition to his litigation work, Pifko has been called upon to be a speaker on class action topics at legal industry conferences, and Mr. Pifko is a talented writer whose articles on class action law and consumer advocacy have been published in *California Lawyer* magazine and the *Daily Journal* newspaper.

**In addition to the above named attorneys from Bernstein, Levin Papantonio, and Baron & Budd, our team works with the following attorneys in our National Consortium and Michigan Consortium. Full Resumes are available upon request.**

## **GREENE KETCHUM**

### **Paul Farrell | Plaintiffs' Co-Lead Counsel** (NATIONAL PRESCRIPTION OPIATE LITIGATION MDL No. 2804)

Paul Farrell, Jr. is a trial lawyer and partner at Greene, Ketchum, Farrell, Bailey & Tweel LLP. Mr. Farrell filed the first cases in the country on behalf of public entities against the wholesale distributors of prescription opiates in southern West Virginia and is focusing his efforts to abate the nationwide opioid epidemic. His work has earned him a spot as co-lead counsel in the National Prescription Opiate Litigation MDL.



Mr. Farrell is recognized as a premier trial lawyer in the field of medical malpractice and appellate advocacy, making some thirty appearances before the West Virginia Supreme Court.

Mr. Farrell filed some of the first transvaginal mesh (TVM) cases in the country and served as liaison counsel on the executive committee for the 7 Pelvic Repair System Products Liability MDLs in Charleston, West Virginia. These MDLs consolidated 80,000 cases and resulted in several multi-million dollar jury verdicts. Mr. Farrell served as trial counsel for the TVM litigation, successfully trying two bellwether cases to verdicts in excess of \$20 million.

### **Bert Ketchum**

Bert Ketchum, a partner at Greene, Ketchum, Farrell, Bailey & Tweel, LLP in Huntington, West Virginia, is an experienced trial lawyer who has tried cases to juries in the state and federal courts of West Virginia, Ohio and Kentucky including, but not limited to, wrongful death, motor vehicle accidents, mining accidents, medical malpractice, workplace injuries, eminent domain, insurance disputes and murder. Mr. Ketchum's appellate experience includes arguing cases before the West Virginia Supreme Court of Appeals and the United States Fourth Circuit Court of Appeals.



Mr. Ketchum was honored in 2007 as one of West Virginia's 40 best and brightest professionals under 40. In 2009, he was selected for membership into The National Trial Lawyers Top 100 Trial Lawyers in West Virginia. He was also selected for inclusion into the West Virginia Super Lawyers in 2010, for membership into the National Advocates Top 100 Trial Lawyers in 2014 and for membership into the Nation's Top 1% in 2015. Mr. Ketchum currently serves on the West Virginia Law Institute's Governing Council, the West Virginia Judicial Vacancy Advisory Commission, the West Virginia Association for Justice Board of Governors, and the WV Public Defender Corporation Board of Directors for the 6th and 24th Judicial Circuits. He is also a member of the American Association for Justice Construction Site Accident Litigation Group and a past President of the Cabell County Bar Association.

# HILL PETERSON

## Ed Hill

R. Edison (Ed) Hill is a trial attorney and the founder and a member/partner of Hill, Peterson, Carper, Bee & Deitzler, PLLC. Mr. Hill has served as class action counsel for numerous certified class actions, including *Burch, et al. v. American Home Products Corp.*, *et al. (Fen-Phen Diet Drug Litigation)*, the largest pharmaceutical class action in the history of West Virginia, and *Leach, et al. v. E. I. du Pont de Nemours and Company*. He also serves on the Plaintiffs Steering Committee for *In re: E. I. DuPont de Nemours and Company C-8 Personal Injury Litigation*, which recently reached a settlement valued at nearly \$1 billion. Mr. Hill was named as one of "America's 100 Most Influential Trial Lawyers" by The Trial Lawyer's RoundTable in 2017 and has been designated as one of West Virginia's twelve "Litigation Stars" by Benchmark Plaintiff (The Definitive Guide To American Leading Plaintiff Firms & Attorneys).



Mr. Hill is involved in many legal professional organizations, including American Association for Justice (Life Member), National Trial Lawyers Association (Executive Committee Member), West Virginia Trial Lawyers Association (Past-President and current Board of Governors member), Public Justice Foundation, Lawyer-Pilots Bar Association, Southern Trial Lawyers Association and the Consumer Attorneys of West Virginia. He has been named a West Virginia Super Lawyer® each year from 2009 the present. He also serves as Chairman for the Central West Virginia Regional Airport Authority, which is the governing board for Yeager Airport, located in Charleston, West Virginia. He has served on the Yeager Airport Board of Directors since 1993.

## Jim Peterson

James C. Peterson is a member/partner at Hill, Peterson, Carper, Bee & Deitzler, PLLC since 1983, focusing his legal practice on litigation of severe personal injury, medical/legal malpractice, product liability, insurance bad faith, mass tort/class action involving defective products, pharmaceuticals, and insurance issues.



He served as co-lead counsel for the settlement of the largest pharmaceutical class action litigation in the history of the State of West Virginia, involving the diet drug Fen-Phen.

Representative mass tort/class action includes cases against Purdue-Pharma, Inc., *et al. (Oxycontin)*; VIOXX Products Liability Litigation (osteo-arthritic pain medication); and *E. I. DuPont de Nemours and Company C-8 Personal Injury Litigation* (representation of 3,500 plaintiffs who suffered various cancers and other illnesses due to exposure to C-8, a chemical used in the manufacture of Teflon, in public drinking water which brought a global settlement reached in 2017 for close to \$1 billion).

# MCHUGH FULLER

## Mike Fuller | Plaintiffs' Executive Committee (NATIONAL PRESCRIPTION OPIATE LITIGATION MDL No. 2804)

Mike Fuller, of McHugh Fuller, has extensive experience in nursing home, medical malpractice and criminal prosecutions and trials. He has worked with a top national law firm and the Hillsborough County State Attorney's Office in Florida, and he has litigated and tried numerous cases to verdict in jurisdictions nationwide. Part of his educational process was spent working in the White House as an intern involved with Presidential Correspondence, providing a wealth of experience with citizens, legislators, and diplomats across the United States. Mr. Fuller currently serves on the Plaintiff's Executive Committee in the National Prescription Opiate Litigation MDL.



## Amy Quezon

Amy Quezon is an elite trial attorney who has tried more than 100 jury trials and received jury verdicts totaling more than \$100 million. Her diverse practice is devoted to plaintiff advocacy, with a specific focus on nursing home abuse and neglect litigation. As a former prosecutor with the Hillsborough County State Attorney's Office, Ms. Quezon has significant experience representing governmental entities. Ms. Quezon is a leader in the opioid litigation, serving as counsel on some of the earliest filed cases on behalf of governmental entities, and has spent the last year working with experts in the field to develop trial ready evidence and testimony. She is counsel of record for more than 100 governmental entities in their opioid litigation and is a frequent speaker on opioids litigation nationwide.



# POWELL & MAJESTRO

## Anthony Majestro

Anthony Majestro, managing partner at Powell & Majestro, has a proven record of litigating matters of great complexity nationwide. Mr. Majestro concentrates his practice in prosecuting complex litigation, focusing on consumer fraud and defective products, including defective drugs and medical devices. In the course of his practice, Mr. Majestro has served as class counsel, lead counsel, liaison counsel and in leadership roles in a number of state and national class actions, mass torts, and other complex cases.

Mr. Majestro has successfully represented, or is currently representing, clients with injuries caused by Fen-Phen/Redux, Paxil, Baycol, Propulsid, Oxycontin, Rezulin, Vioxx, hormone replacement drugs, pedicle screws, and breast implants. In addition, Mr. Majestro leads the firm's extensive consumer protection practice.



## BEHM & BEHM



### Michael J. Behm

For the past twenty-seven years, Michael has exclusively focused his practice on representing people who have been seriously injured due to negligence. He has obtained many jury verdicts and settlements well in excess of \$1 million.

He is an AV rated attorney by Martindale Hubbell and was one of the youngest qualifying attorneys in Michigan when he received this honor. Michael has also been listed as a Michigan Super Lawyer the last twelve years and is recognized by the American Trial Lawyers Association as one of the top 100 trial lawyers in Michigan.

## GREWAL LAW



### David S. Mittleman

While attending Thomas M. Cooley Law School, David worked part-time with the law firm of ChurchWyble, P.C., now Grewal Law PLLC, until he graduated in 1985. At that time, he began working with the firm full-time, handling every facet of litigation and trial work. In 1990, he became a shareholder with the firm and continued handling all areas of litigation with an emphasis in medical, dental, and pharmacy, pharmacist negligence cases.

David has been involved with over 100 Civil Trials, (Auto Accidents, Premises Liability, Medical Malpractice and Commercial liability cases), obtained many Million dollar plus verdicts & settlements, and recently participated in the Largest University Sexual Assault Scandal Settlement with MSU for \$500 million.



### Mick S. Grewal, Sr.

Manvir "Mick" Grewal, Sr. is the founding and managing partner of Grewal Law PLLC. Mick has a proven track record of successfully defending his clients against the simplest traffic or criminal offense to very serious and complex criminal charges such as drunk driving, felony drug charges or anything in between. He is fierce when it comes to protecting the rights of his client in a complicated divorce or custody case. Mick is not only knowledgeable in criminal and family law matters; he has his Masters of Law in Taxation, has handled multiple estates and difficult probate court matters, he oversees a team of attorneys well versed in medical marijuana law.

Recently, Grewal Law acquired Church Wyble PC, a predominately personal injury and medical malpractice firm, which has served the area since 1951. When Grewal Law and Church Wyble joined forces, it made his office one of a kind; a well-rounded, full service, family law firm for life. The Grewal family has served the Mid-Michigan area for decades and Mick carries on that tradition of family service and personal attention.

## WELCH LAW



### Elizabeth M. Welch

Elizabeth Welch (The Welch Law Firm, PLC) practices employment law in Grand Rapids, Michigan. Her work includes assisting management with issues related to wage and hour compliance, hiring/terminations, and all aspects of employment law with various government agencies on the local, state, and federal levels, including the Department of Labor and the Equal Employment Opportunity Commission. Elizabeth is also a trained mediator. Additionally, she served as a Trustee for the Grand Rapids Bar Association and is a past board member for the Women Lawyers Association of Michigan - Western Region (where she also served as President).

Elizabeth has also served as Chair of the Michigan Democratic Party's Third Congressional District and Vice Chair of the Kent County Democratic Party. She was deeply involved in Jocelyn Benson's Secretary of State race in 2010, co-founded a PAC to support progressive causes, is involved in a progressive coalition table, and works to recruit candidates to run for office.

## SMITH & JOHNSON



### Timothy P. Smith

Timothy Smith has practiced in plaintiff side personal injury cases since graduating law school in 1992. He has litigated nationwide including cases in Ventura County, California and Middlesex County, New Jersey. In 2018, Best Lawyers listed Mr. Smith as the Plaintiffs Lawyer of the Year for Northern Michigan. At 34 years of age, he was one of the youngest attorneys in the state to receive an AV-rating, the highest rating, from Martindale-Hubbell. Both Best Lawyers and Martindale-Hubbell rely on peer review from other attorneys and local judges as to these rankings, which, represent the highest level of professional excellence in the field.

He is a frequent speaker in the area of litigation strategies and techniques and has annually moderated the Michigan Trial Lawyers Winter Seminar since 2000. In 2006 he was named to the 40 under 40 list by the Grand Traverse Business News and was named to the "A-List" of attorneys in Northern Michigan by Traverse the Magazine.





## Barry Conybeare

After graduating from law school, Barry worked in Chicago as a commercial litigation associate with one of the world's largest law firms, Skadden Arps Slate Meagher & Flom. In 1994, after nearly two years with Skadden, Barry, and his wife Jody, moved home to Southwest Michigan. There he began practicing law with his father, Bruce Conybeare, at Conybeare Law Office.

Barry's practice focuses on all aspects of personal injury law, including: auto collisions; medical, hospital and nursing home malpractice; product liability; insurance claims and most other injury cases. Best Lawyers in America named Barry the 2017 Lawyer of the Year for Plaintiffs Personal Injury in the Kalamazoo Region (Southwest Michigan).

## 3. EXPERIENCE

### 3.1 Describe at least 3 relevant experiences supporting your ability to successfully perform the work set forth in the SOW. Include a description of services provided and results obtained. Include contact information for the clients you represented.

As mentioned previously, our firms have extensive experience in mass tort and complex litigation. Further, we have the largest client base in the country in the opioid litigation (see **Exhibit A**). We feel that the following three references from the opioid litigation would be able to speak to the quality of service that our firms provide.

#### The State of Ohio

Jonathan D. Blanton  
Director of Major Litigation  
Office of Ohio Attorney General Dave Yost  
614.728.1171 (office)  
866.537.5781 (fax)  
Jonathan.Blanton@OhioAttorneyGeneral.gov

#### The State of New Mexico

Brian E. McMath  
Assistant Attorney General  
Consumer & Environmental Protection Division  
New Mexico Office of the Attorney General  
201 3rd St. NW, Suite 300  
Albuquerque, NM 87102  
505.717.3531 (office)  
505.318.1050 (fax)  
bmcmath@nmag.gov

#### The City of Detroit, Michigan

Mike Duggan  
Mayor  
313.224.3400 (office)

Eli Savit  
Senior Advisor and Counsel to the Mayor  
313.224.3400 (office)  
269.267.5422 (mobile)  
savite@detroitmi.gov

Mayor's Office  
Coleman A. Young Municipal Center  
2 Woodward Ave., Suite 1126  
Detroit, MI 48226

### **3.2 Provide publicly available motions, briefs, and other documents relevant to your experience in providing the legal services sought under this RFP.**

Our work in the opioid litigation has been extensive, spanning hundreds of cases in both state and federal court. Please find attached a representative sample of our complaints filed on behalf of Attorneys General. If additional documents would assist the State in making their decision, we would be happy to provide them upon request.

**Exhibit C:** PLAINTIFF'S SECOND AMENDED COMPLAINT **STATE OF NEW MEXICO, EX REL., HECTOR BALDERAS, ATTORNEY GENERAL, v. PURDUE PHARMA L.P., et al.** NO. D-101-CV-2017-02541

**Exhibit D:** COMPLAINT **STATE OF HAWAII, EX REL., CLARE E. CONNORS, ATTORNEY GENERAL, v. MALLINCKRODT PLC, et al.** CIVIL NO. 19-1-0863-06

## **4. CONFLICT OF INTEREST**

### **4.1 Provide detailed information regarding any prior, current, or anticipated future relationship with any manufacturer, distributor, or other related party regarding opioid containing products that could give rise to actual, apparent, or potential conflict of interest. Disclose such information for both the bidder and any proposed subcontractors.**

Our firms have not discovered any conflicts with any related party in our respective conflicts checks. Should any potential conflicts arise, our firms are willing to work closely with the State of Michigan to resolve the conflict. We affirm that the retention of our firms will not result in a conflict of interest for any party.

### **4.2 Disclose any actual, apparent, or potential conflict of interest between the bidder and the State of Michigan, including potential conflicts based on representation of other parties.**

Our firms have not discovered any conflicts with the State of Michigan in our respective conflicts checks. Should any potential conflicts arise, our firms are willing to work closely with the State of Michigan to resolve the conflict. We affirm that the retention of our firms will not result in a conflict of interest for any party.

### **4.3 With respect to any information provided in response to the questions above, provide an explanation of why an actual, apparent, or potential conflict of interest would not arise, or the measures that would be taken to avoid such a conflict.**

Our firms all have robust systems in place to check for potential conflicts. These systems have revealed no known conflicts and will assist in preventing any future potential conflict. Should any potential conflict arise, our firms will work closely with the State of Michigan to ensure there is no actual or apparent conflict of interest.

## **5. SAAG CONTRACT**

### **5.1 Bidder must affirm agreement with the terms of the SAAG Contract (Attachment A). If you do not agree, you must provide redline edits to the SAAG Contract with your proposal, and include justification for requesting deviation from the terms.**

We have attached as **Exhibit E** our redline edits to the SAAG contract. We consider these edits to be minor and would be more than happy to work with the State to resolve them.

## 6. FEE AGREEMENT

**6.1 Bidder must submit a proposed Fee Agreement which: (1) aligns with the SAAG Contract (Attachment A) and (2) clearly sets forth how the bidder proposes to address payment in the event of recovery. See also SAAG Contract (Attachment A), Section 3, Compensation and Cost Reimbursement.**

We have attached as **Exhibit F** our proposed fee agreement. We are more than willing to work with the State to ensure that we meet the State's needs, in terms of compensation and costs. We feel that a transparent and collaborative process will be most beneficial to the People of the State of Michigan.



