

**RESOLUTION TO APPROVE CONTINGENCY FEE AGREEMENT AND
AUTHORIZE LITIGATION**

WHEREAS the vaping epidemic among our Nation’s students has increased at an alarming rate.

WHEREAS, through their deceptive marketing targeted at students, vaping companies have misled a new generation of students into becoming addicted to nicotine.

WHEREAS the nicotine in vaping products is not only extremely addictive but also negatively affects the development of our students.

WHEREAS a large burden of this student vaping epidemic has been placed upon our Nation’s schools including, but not limited to, the _____.

WHEREAS, in 2019, the law firm of Frantz Law Group, APLC filed a mass-action lawsuit against JUUL Labs, Inc. on behalf of a number of California schools in the case captioned *In re: Juul Labs, Inc. Marketing, Sales Practices & Products Liability Litigation*, United States District Court for the Northern District of California Case No. 3:19-md-2913-WHO (“Action”).

WHEREAS, since 2019, schools throughout the Nation have joined in the Action.

WHEREAS the Action seeks to recover damages on behalf of schools to address the health issues caused by the vaping epidemic.

WHEREAS more information about the Action can be found at ohioschoolsagainstjuul.com.

WHEREAS, on October 23, 2020, the Honorable Judge William H. Orrick, III ruled that the Action may move forward with a trial date currently set for January 2022.

WHEREAS the law firms of McGown & Markling Co., L.P.A. and Frantz Law Group, APLC (“Law Firms”) have entered into an exclusive non-reciprocal co-counsel agreement to facilitate Ohio schools joining the Action.

WHEREAS the Law Firms have offered to represent the _____ in joining the Action pursuant to a contingency fee agreement, a copy of which is attached hereto and incorporated herein.

WHEREAS the contingency fee agreement clearly provides that the _____ **shall not be charged any fees, costs, and/or expenses if there is no recovery** on behalf of the _____.

WHEREAS a nominal amount of school personnel time is anticipated for the _____ to participate in the Action.

WHEREAS the Law Firms have provided the _____ with a sample complaint to be filed in the appropriate United States District Courts, a copy of which is maintained by the Superintendent and Treasurer.

Resolution to Approve Contingency Fee Agreement and Authorize Litigation

