

**MidPenn Legal Services
213-A North Front Street
Harrisburg, Pennsylvania 1701
(717) 232-0581**

and

**Dauphin County Lawyer Referral Service
Dauphin County Bar Association
213 North Front Street
Harrisburg, Pennsylvania 1701
(717) 232-7536**

COMPLAINT FOR DECLARATORY RELIEF

AND NOW comes Plaintiff, The Commonwealth of Pennsylvania, by and through the Philadelphia District Attorney, Larry Krasner (hereinafter “Plaintiff” or “Commonwealth”), through its undersigned counsel, and hereby files this Complaint for Declaratory Relief against the Attorney General for the Commonwealth of Pennsylvania, averring as follows:

1. This action is brought pursuant to the Declaratory Judgments Act, 42 Pa C.S. §§ 7531 *et seq.*, for the purpose of determining the legal rights and obligations of the parties, and involves a question of general and actual controversy that is ripe for consideration.

2. Together with his colleagues around the country, the Pennsylvania Attorney General (the “Attorney General”) recently negotiated a settlement with the three largest distributors of prescription opioids—McKesson Corporation (“McKesson”), Cardinal Health Corp. (“Cardinal Health”) and AmerisourceBergen Drug Corporation (“ABDC”) (collectively “the Big 3”)—to resolve claims brought nationwide against those defendants for their role in contributing to the opioid crisis. Through that settlement, the Attorney General improperly seeks to release claims currently being litigated by the Philadelphia District Attorney in the name of the Commonwealth.

3. Even though he has described the opioid crisis as “the number one public health and public safety challenge facing Pennsylvania,”¹ the Attorney General never filed a lawsuit against the Big 3. Instead, in September 2017, the Attorney General announced the existence of an “investigation” by “a bipartisan group of Attorneys General from coast to coast,” including the Attorney General.² While at that time the Attorney General had only sent demand letters to the Big 3, he pledged to do more:

We’re following the evidence wherever it leads so we can change behavior and save lives. Make no mistake: if the law was broken, this team will find it, and we will take action to change the course of this epidemic. . . . We will follow the facts and the law, without fear or favor, and hold the responsible persons and companies accountable for the tragic loss of life and damage suffered by so many families across our Commonwealth.³

4. The Attorney General never reported any results from this “investigation.” Instead, on October 21, 2019, he announced a \$48 billion “agreement in principle” to a national settlement with five opioid companies, including the Big 3 and two opioid manufacturers. The agreement provided for, on a nationwide basis, \$22.25 billion in cash to be paid over 18 years from the Big 3

¹ See <https://www.attorneygeneral.gov/protect-yourself/opioid-battle/> (last visited July 21, 2021).

² See <https://www.attorneygeneral.gov/taking-action/press-releases/national-investigation-into-opioid-manufacturers-and-distributors-expands/> (last visited July 21, 2021).

³ *Id.*

and an opioid manufacturer, in addition to \$26 billion in “generic suboxone product” from a fifth company, another opioid manufacturer. The Attorney General justified entering into such an agreement by saying:

[W]hat I know for sure is that the people of Pennsylvania need relief now. They can’t wait for post-trial settlements that could take years to deliver the resources necessary to combat this crisis. I am confident that the framework agreed upon today is our best path forward to deliver relief to those suffering from this epidemic and enact corporate change to prevent this from happening again.⁴

The agreement was ultimately rejected by a majority of state attorneys general as well as major municipalities across the United States.

5. Despite the fact that the people in the Commonwealth needed relief immediately, nearly two years elapsed before, on July 21, 2021, the Attorney General announced yet another deal with the Big 3.⁵ This is the settlement for which Plaintiff, by filing this action, seeks relief.

6. While the Attorney General was negotiating settlements, three significant things happened. **First**, the opioid crisis caused by the settling defendants continued to ravage the lives of residents of Philadelphia. As just one

⁴ See <https://www.attorneygeneral.gov/taking-action/press-releases/ag-shapiro-announces-48-billion-opioid-epidemic-deal-with-five-companies/> (last visited July 21, 2021).

⁵ See <https://www.youtube.com/watch?v=Dq6SuD2kCHM> (last visited July 21, 2021). The Attorney General also announced that an agreement had been reached with opioid manufacturer J&J, but that settlement agreement has not apparently been finalized.

measure of its effects, during the first three quarters of 2020, as the pandemic decimated City budgets and shutdowns made access to treatment difficult, overdose deaths in the City rose 11%, with Black overdose deaths soaring 40.3%.⁶

7. **Second**, several government entities took their cases against the Big 3 (among others) to trial, and received large judgments and settlements against these companies. The State of Oklahoma obtained a judgment against Janssen of \$465 million after a bench trial.⁷ Two counties in Ohio reached settlements totaling more than \$325 million on the eve of trial.⁸ As of the date of this Complaint, plaintiffs in three jurisdictions—California,⁹ West Virginia,¹⁰ and New York,¹¹ are

⁶ Aubrey Whelan, *Fatal overdoses among Black Philadelphians soared during the pandemic, new data show*, Philadelphia Inquirer (Apr. 22, 2021), available at: <https://www.inquirer.com/news/overdoses-black-philadelphians-opioid-crisis-covid-19-20210422.html>

⁷ <https://www.npr.org/2019/11/15/779439374/oklahoma-judge-shaves-107-million-off-opioid-decision-against-johnsonjohnson#:~:text=Johnson%20%26%20Johnson%20Opioid%20Judgment%20Cut%20By%20%24107%20Million%20In%20Oklahoma%20%3A%20NPR&text=%23NowPlaying,Johnson%20%26%20Johnson%20Opioid%20Judgment%20Cut%20By%20%24107%20Million%20In%20Oklahoma,role%20in%20the%20opioid%20crisis>

⁸ <https://www.cleveland.com/court-justice/2020/02/cuyahoga-summit-counties-reaped-benefits-of-settling-early-with-opioid-companies-officials-say.html>

⁹ <https://www.reuters.com/business/healthcare-pharmaceuticals/jj-other-drugmakers-face-trial-california-over-claims-they-fueled-opioid-2021-04-19/>

¹⁰ <https://wvmetronews.com/2021/05/03/federal-opioid-trial-begins-in-charleston/>

¹¹ <https://www.nytimes.com/2021/06/29/nyregion/opioids-in-new-york.html#:~:text=New%20York's%20sweeping%20lawsuit%20is,judge%20will>

currently in trial seeking billions of dollars in damages and abatement. Across the country, many more trials are scheduled for this year and next.

8. ***Third***, Plaintiff remained actively engaged in litigation against the Big 3 and other defendants. Plaintiff has spent millions of dollars and tens of thousands of hours (1) collecting, reviewing, and producing documents from the District Attorney's office and fifteen City of Philadelphia agencies; (2) reviewing documents produced by defendants, including the Big 3; and (3) working with experts to understand the nature of the Big 3's wrongdoing and the monetary relief that should be awarded to Plaintiff by virtue of that wrongdoing. Plaintiff recently sought immediate remand of its case to Philadelphia, where it will be scheduled for a bench trial.

9. Despite these significant developments, under the Attorney General's recently-announced settlement, there is no guarantee Philadelphia will receive anything, much less a just amount. The total "settlement" with the Big 3 provides for ***up to*** \$21 billion to be paid over 18 years. While on first blush this may seem to be a large number, even in a best case scenario, it amounts to less than \$10 million per year for Philadelphia. Notably, despite the many years the settling companies have to make these payments, their payments are not guaranteed. Perhaps more importantly, because there are so many ways within the settlement

[%20decide%20the%20outcome.&text=The%20trial%20has%20seven%20defendants,subsidiaries%20and%20armies%20of%20attorneys](#)

that the Big 3 can avoid making payments, there is no way for the City of Philadelphia—or any other municipality within the Commonwealth—to determine reliably how much money it will receive under the settlement. After these companies took the lives of so many residents of Philadelphia, the Attorney General’s settlement leaves the City with virtually nothing it can count on to abate the ongoing epidemic.

10. For all of the above reasons, the action brought by the Philadelphia District Attorney cannot and should not be extinguished by the Attorney General’s settlement. Simply put, the Attorney General cannot and should not allow the Big 3 to name their own price for the Philadelphia lives they took. Plaintiff’s action was brought under the Pennsylvania’s Unfair Trade Practices and Consumer Protection Law, 73 P.S. §§ 201-1 *et seq.* (“UTPCPL”), under which the Philadelphia District Attorney, along with the Attorney General, has explicit statutory authority to bring this claim. Yet, despite the fact that Plaintiff brought its claim against the Big 3 over three years before the Attorney General announced the latest “settlement,” the Attorney General’s settlement improperly seeks to release Plaintiff’s statutorily-authorized claims. Plaintiff brings this action to request a ruling that the Attorney General lacks the authority to do so.

Parties

11. The Philadelphia District Attorney, Larry Krasner, is the chief law enforcement officer of Philadelphia County. On February 2, 2018, the Commonwealth, by and through District Attorney Krasner, filed its initial Complaint against various manufacturers and distributors of opioids, including the Big 3, under the UTPCPL.

12. The Attorney General of the Commonwealth Pennsylvania (hereinafter “Defendant” or “Attorney General”) is the chief law enforcement officer of the Commonwealth of Pennsylvania. The Office of Attorney General is an independent office headed by the Attorney General located at 15th Floor, Strawberry Square, Harrisburg, PA 17120.

Jurisdiction and Venue

13. This Court has original jurisdiction over this declaratory judgment action pursuant to 42 Pa. C.S. § 761, as this is an action against an agency of the Commonwealth. In addition, the Distributor Settlement Agreement related to Attorney General’s proposed settlement of claims against the Big 3 (the “Distributor Agreement”), the document under which the Attorney General seeks to release Plaintiff’s claims, provides that Commonwealth courts have the authority to decide “the extent of the Attorney General’s or other participating entity’s

authority under State law, including the extent of the authority to release claims.”

Ex. B ¶ VI(F)(1)(b)(iv).

Facts

14. This matter arises out of an action brought by Plaintiff against manufacturers, distributors, and dispensers of prescription opioid drugs, alleging violations of the UTPCPL. In addition to Plaintiff’s action, more District Attorneys throughout the Commonwealth have filed cases against the Big 3 and other manufacturers, distributors, and dispensers of prescription opioid drugs.

15. The opioid addiction crisis has ravaged Philadelphia, the Commonwealth and the nation, causing breathtaking numbers of fatal overdoses, severe adverse health consequences, immense human suffering and trauma among survivors, and resultant crime increases and economic loss, all while placing a heavy burden on front-line first responders who are charged with keeping communities safe and taxpayers who are forced to subsidize governmental efforts to abate the epidemic.

16. Much of the blame for this crisis falls at the feet of opioid manufacturers who marketed and promoted dangerous and addictive opioids, which only should have only been used to treat short-term acute pain, as being suitable to treat long-term chronic pain, causing a catastrophic increase in opioid addiction.

17. Equal blame falls at the feet of opioid distributors such as the Big 3, who failed to comply with their obligations under the federal and state Controlled Substances Acts and misled the public into believing they were in compliance with their obligations thereunder. According to DEA data obtained by the *Washington Post*,¹² from 2006 to 2014, 518,013,833 prescription pain pills—enough for 38 pills per person per year—were distributed into Philadelphia. 167,880,330 of those pills were distributed by McKesson, 103,934,260 were distributed by Cardinal Health, and 52,959,950 were distributed by ABDC.

18. In response to this public health crisis and the unlawful actions of the opioid manufacturers and distributors, the Commonwealth of Pennsylvania, acting by and through Philadelphia District Attorney Larry Krasner, filed a single count complaint on February 2, 2018 (the “Philadelphia DA Action”) alleging violations of the UTPCPL. The original complaint was subsequently amended on November 14, 2018. A true and accurate copy of that Amended Complaint is attached hereto as Exhibit A.

19. The Philadelphia DA Action specifically alleged, among other things, that certain manufacturers and distributors engaged in “[u]nfair methods of competition” and “unfair or deceptive acts or practices” by, among other things, “causing likelihood of confusion or misunderstanding as to the . . . certifications of

¹² https://www.washingtonpost.com/graphics/2019/investigations/dea-pain-pill-database/?utm_term=.f2463df9006f (last visited July 21, 2021).

goods or services[,]” “representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits or qualities that they do not have[,],” and “engaging in any other fraudulent or deceptive conduct which creates a likelihood of confusion or of misunderstanding[,],” all in violation of the UTPCPL.

20. As a result of the multiple violations of the UTPCPL by the opioid manufacturers and distributors, the Philadelphia DA Action seeks all legal and equitable relief authorized under the UTPCPL, including injunctive relief, the cessation of all deceptive advertising, the disgorgement of all profits earned by the defendants as a result of their violations of the UTPCPL, and restitution for the City of Philadelphia for the harm the City incurred as a result of the defendants’ unfair or deceptive acts.¹³

21. The Philadelphia District Attorney has standing to bring the Philadelphia DA Action pursuant to 73 P.S. § 201-4, which states “[w]henver the Attorney General or a District Attorney has reason to believe that any person is using or is about to use any method, act or practice declared by section 3 of this act to be unlawful, and that proceedings would be in the public interest, he may bring an action in the name of the Commonwealth”

¹³ Since the filing of the Amended Complaint, the Commonwealth limited its requested relief to statutory fines and penalties, and the disgorgement of Defendants’ ill-gotten gains.

22. Indeed, the propriety of the Commonwealth’s lawsuit against the defendants under the UTPCPL, brought by and through the Philadelphia District Attorney, was affirmed by the trial court in July 2019 when the Delaware County Court of Common Pleas denied the Preliminary Objections of all defendants in their entirety.

23. In addition to the Philadelphia DA Action, the following District Attorneys subsequently filed actions in the name of the Commonwealth—albeit limited to their respective jurisdictions—against the manufacturers, distributors and, in some instances, dispensers of opioids seeking relief under the UTPCPL:

- District Attorney of Allegheny County;
- District Attorney of Berks County;
- District Attorney of Bucks County;
- District Attorney of Chester County;
- District Attorney of Dauphin County;
- District Attorney of Delaware County;
- District Attorney of Erie County;
- District Attorney of Lehigh County;
- District Attorney of Northampton County; and
- District Attorney of Westmoreland County.

24. Several of the actions filed by the aforementioned District Attorneys in the name of the Commonwealth, together with cases filed by municipal plaintiffs, third party payors, and putative class representatives, were coordinated under one caption pursuant to Rule 213.1 as *Delaware County, Pennsylvania et al. v. Purdue Pharma L.P. et al.*, No. CV-2017-008095, in the Delaware County Court of Common Pleas per the court's March 27, 2018 coordination order (hereinafter, the "Coordinated Cases").

25. On or about May 14, 2019, the Attorney General of the Commonwealth of Pennsylvania filed his first and only lawsuit against an opioid manufacturer, in an action against Purdue Pharma. The Attorney General filed two other suits after that, one against the Sackler family (the founders of Purdue Pharma) on or around September 12, 2019, and one against McKinsey & Company, Inc., a company that provided marketing advice to Purdue Pharma and Janssen, among others, on February 4, 2021.

26. The Attorney General has not filed any other lawsuits against any other manufacturers, distributors or dispensers of opioids, including any lawsuits against the settling defendants.

27. On July 21, 2021, Plaintiff received the Distributor Agreement. A true and correct copy of that Agreement is attached hereto as Exhibit B.

28. Critically, by virtue of the Distributor Agreement, the Attorney General seeks to release all claims against the Big 3, including those claims brought in the Philadelphia DA Action, and actions brought by and through various District Attorneys across the Commonwealth, against these same defendants.

29. The Distributor Agreement defines Releasors as:

“*Releasors.*” With respect to Released Claims, (1) each Settling State; (2) each Participating Subdivision; and (3) without limitation and to the maximum extent of the power of each Settling State’s Attorney General and/or Participating Subdivision to release Claims, (a) the Settling State’s and Participating Subdivision’s departments, agencies, divisions, boards, commissions, Subdivisions, districts, instrumentalities of any kind and attorneys, including its Attorney General, and any person in his or her official capacity whether elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, (b) any public entities, public instrumentalities, public educational institutions, unincorporated districts, fire districts, irrigation districts, and other Special Districts in a Settling State, and (c) any person or entity acting in a *parens patriae*, sovereign, quasisovereign, private attorney general, *qui tam*, taxpayer, or other capacity seeking relief on behalf of or generally applicable to the general public with respect to a Settling State or Subdivision in a Settling State, whether or not any of them participate in this Agreement. The inclusion of a specific reference to a type of entity in this definition shall not be construed as meaning that the entity is not a Subdivision. Each Settling State’s Attorney General represents that he or she has or has obtained (or will obtain no later than the Initial Participation Date) the authority set forth in Section XI.F. In addition to being a Releasor as provided herein, a Participating Subdivision shall also provide the Subdivision Settlement Participation Form referenced in Section VII providing for a release to the fullest extent of the Participating Subdivision’s authority.

Ex. B, ¶ I(III).

30. The Distributor Agreement further provides that:

Scope. As of the Effective Date, the Released Entities are hereby released and forever discharged from all of the Releasors' Released Claims. Each Settling State (for itself and its Releasors) and Participating Subdivision hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. **The releases provided for in this Agreement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of each Settling State and its Attorney General to release claims.** This Agreement shall be a complete bar to any Released Claim.

Ex. B, ¶ XI(A) (emphasis added).

31. Each of the defendants who is a party to the Attorney General's proposed Distributor Settlement Agreement is a defendant in the Coordinated Cases.

32. The Attorney General's settlement language unlawfully attempts to release the Big 3 from all liability they may face in the Coordinated Cases, including the Philadelphia DA Action and other cases filed in the name of the Commonwealth by other District Attorneys. The same Defendants who silenced Philadelphia lives by sending hundreds of millions of pills into the City now seek to silence the Philadelphia District Attorney by settlement.

33. For all the reasons set forth above, the Commonwealth, by and through the Philadelphia District Attorney, asks this Honorable Court to declare that the Attorney General is prohibited under Pennsylvania law from releasing Plaintiff's claims, mooted Plaintiff's action, or entering into a settlement agreement that otherwise subsumes Plaintiff's claims.

Count One – Declaratory Judgment

34. The foregoing paragraphs are incorporated by reference as though fully set forth herein.

35. Under the Declaratory Judgments Act, “[a]ny person . . . whose rights, status, or other legal relations are affected by a statute . . . may have determined any question of construction or validity arising under the instrument, statute, ordinance, contract, or franchise, and obtain a declaration of rights, status, or other legal relations thereunder.” 42 Pa. C.S. § 7533.

36. The purpose of the Declaratory Judgments Act is to “settle and to afford relief from uncertainty and insecurity with respect to rights, status, and other legal relations, and is to be liberally construed and administered.” 42 Pa. C.S. § 7541(a).

37. This Court has allowed numerous declaratory judgment actions to proceed where, as here, statutory ambiguity creates uncertainty as to the legal rights of entities or individuals. *See e.g., Pennsylvania Med. Soc. v. Foster* 585

A.2d 595, 600–01 (Pa. Cmwlth. 1991); *McCord v. Pennsylvania Gaming Control Bd.*, 9 A.3d 1216, 1220 (Pa. Cmwlth. 2010); *Phantom Fireworks Showrooms, LLC v. Wolf*, 198 A.3d 1205 (Pa. Cmwlth. 2018).

38. Plaintiff respectfully requests that this Honorable Court, pursuant to the Declaratory Judgments Act, 42 Pa. C.S. §§ 7531 *et seq.*, issue a declaratory judgment holding that the Attorney General has no authority to release the first-filed Philadelphia DA Action.

39. It is well established that, since the adoption of Pa. Const. art. 4 § 4.1, the Attorney General’s powers are “strictly a matter of legislative designation and enumeration.” *Com. v. Briggs*, 12 A.3d 291, 328 (Pa. 2011).

40. The Attorney General has no authority to unilaterally moot or otherwise settle the cases of District Attorneys when he possesses no statutory right to do so, either under the UTPCPL or in any other section of the Pennsylvania Code. *See Wilson v. City of Philadelphia*, 177 F. Supp. 3d 885, 907 (E.D. Pa. 2016) (“In Pennsylvania, the Attorney General . . . is without authority to replace a district attorney . . . and in Pennsylvania, unlike many other jurisdictions, the [Attorney General] has no inherent authority to supersede a district attorney’s decisions generally.”).

41. The only time when the Attorney General may replace a District Attorney under Pennsylvania law is when, in a *criminal case*, the district attorney

represents that it “lacks the resources to conduct an adequate investigation or the prosecution of the criminal case or matter,” or when the district attorney “represents that there is the potential for an actual or apparent conflict of interest on the part of the district attorney or his office.” 71 P.S. § 732-205.

42. Given the terms of the UTPCPL, which gives equal, concurrent jurisdiction to both District Attorneys and the Attorney General to bring actions in the name of the Commonwealth, the Attorney General has no authority to settle or otherwise release Plaintiff’s claim, particularly where, as here, Plaintiff (and District Attorneys throughout the Commonwealth) filed their actions years before the Attorney General announced the current settlement and Plaintiff (as well as other District Attorneys in the Commonwealth) currently maintain the sole and exclusive actions against the defendants whose claims the Attorney General seeks to release. *See* 73 P.S. § 201-4 (“[w]henever the Attorney General or a District Attorney has reason to believe that any person is using or is about to use any method, act or practice declared by section 3 of this act to be unlawful, and that proceedings would be in the public interest, he may bring an action in the name of the Commonwealth”).

43. To allow the Attorney General to settle pending cases brought by District Attorneys in the name of the Commonwealth, especially when the two expressly have co-equal authority under the UTPCPL and Plaintiff filed first,

would create a situation where entities acting in the name of the Commonwealth are pitted against each other in a race to the bottom to settle first and settle low, to the detriment of those who have been harmed by defendants' unfair or deceptive conduct and to the great benefit of those who engage in unfair trade practices. This arrangement harms, rather than helps, Pennsylvania consumers, undermining the entire purpose of the UTPCPL. *See Com. ex rel. Corbett v. Peoples Benefit Servs., Inc.*, 923 A.2d 1230, 1236 (Pa. Cmwlth. 2007) (citing *Com. ex rel. Creamer v. Monumental Prop., Inc.*, 459 Pa. 450, 329 A.2d 812 (Pa. 1974) (The purpose of the UTPCPL is to protect consumers from "fraud and unfair or deceptive business practices.")).

44. Indeed, the UTPCPL recognizes that the Attorney General is not in a position to prosecute every violation of the UTPCPL, as it gives concurrent prosecutorial authority to District Attorneys.

45. Plaintiff has a direct and substantial interest in ensuring that its case is not rendered moot or otherwise usurped, particularly when the relief sought by the Attorney General is in Plaintiff's view inadequate, and differs in substance from the relief sought by the District Attorneys. While the Distributor Agreement characterizes the relief sought as restitution, Plaintiff seeks civil penalties and disgorgement under the UTPCPL. That relief is expressly disclaimed in the Distributor Agreement. *See* Ex. B, ¶ V(F)(5) ("For the avoidance of doubt: . . . no

portion of the Compensatory Restitution Amount constitutes disgorgement or is properly characterized as the payment of statutory or other fines, penalties, punitive damages, or other punitive assessments.”).

46. An actual controversy exists between the parties in which the parties all have a direct and substantial interest. The matter is ripe for judicial resolution in the form of declaratory judgment pursuant to 42 Pa. C.S. § 7541.

WHEREFORE, Plaintiff requests that the Court enter a judgment (i) declaring that the Attorney General has no authority to release claims brought by Plaintiff in the name of the Commonwealth, under the Pennsylvania Unfair Trade Practices and Consumer Protection Law, (ii) enjoining the release of Plaintiff’s claims by the Attorney General, in the name of the Commonwealth, under the Pennsylvania Unfair Trade Practices and Consumer Protection Law against the manufacturers, distributors and dispensers of opioids, and (iii) providing any other relief that this Court deems just and proper.

Dated: July 22, 2021

Respectfully submitted,

By: s/Jerry R. DeSiderato
Jerry R. DeSiderato (PA Bar No. 201097)
Timothy J. Ford (PA Bar No. 325290)
Silvio Trentalange (PA Bar No. 320606)
DILWORTH PAXSON LLP
1500 Market Street, Suite 3500E
Philadelphia, PA 19102
Tel: (215) 575-7000
jdesiderato@dilworthlaw.com
tford@dilworthlaw.com

strentalange@dilworthlaw.com

Jennifer Fountain Connolly (to be admitted pro hac vice)

Michael von Klemperer (to be admitted pro hac vice)

BARON & BUDD, P.C.

600 New Hampshire Avenue NW

Washington, DC 20037

Tel.: (202) 333-4873

jconnolly@baronbudd.com

mvk@baronbudd.com

Russell W. Budd (to be admitted pro hac vice)

BARON & BUDD, P.C.

3102 Oak Lawn Ave., Suite 1100

Dallas, TX 75219

Tel: (214) 521-3605

rbudd@baronbudd.com

Burton LeBlanc (to be admitted pro hac vice)

BARON & BUDD, P.C.

2600 Citiplace Dr.

Baton Rouge, LA 70808

Tel: (225) 927-5441

bleblanc@baronbudd.com

Richard Glazer

Lawrence S. Krasner

**OFFICE OF THE PHILADELPHIA
DISTRICT ATTORNEY**

3 South Penn Square

Philadelphia, PA 19107

Tel: (215) 686-8000

Richard.Glazer@Phila.gov

Gregory B. Heller (PA Bar No. 61130)

MCLAUGHLIN & LAURICELLA, P.C.

One Commerce Square

2005 Market Street, Suite 2300

Philadelphia, PA 19103
Tel: (267) 238-1211
gheller@best-lawyers.com

Andrew Sacks (PA Bar No. 41390)
John Weston (PA Bar No. 26314)
SACKS WESTON, LLC
1845 Walnut Street, Suite 1600
Philadelphia, PA 19103
Tel: (215) 925-8200
asacks@sackslaw.com
jweston@sackslaw.com

Prof. David Kairys (PA Bar No. 14535)
P.O. Box 4073
8225 Germantown Avenue
Philadelphia, PA 19118
Tel: (215) 204-8959
dkairys@verizon.net

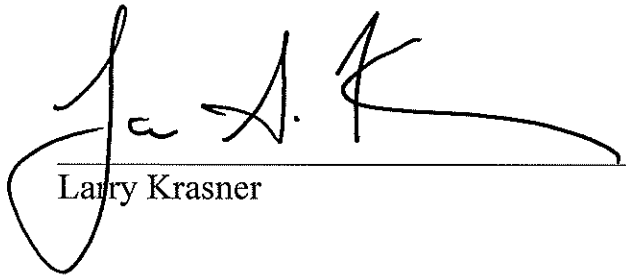
Stephen A. Sheller (PA Bar No. 3270)
Lauren Sheller (PA Bar No. 314399)
SHELLER, P.C.
1528 Walnut Street, 4th Floor
Philadelphia, PA 19102
Tel: (215) 790-7300
sasheller@sheller.com
lsheller@sheller.com

*Counsel for Plaintiff the Commonwealth of
Pennsylvania, by and through the Philadelphia
District Attorney Larry Krasner*

VERIFICATION

I, Larry Krasner, hereby state that I am the District Attorney of Philadelphia, and that I have authority to submit this Verification on behalf of the Plaintiff, which is the Commonwealth of Pennsylvania, acting by and through Philadelphia District Attorney Larry Krasner. The factual allegations contained within the Complaint for Declaratory Relief are true and correct to the best of my knowledge, or upon information and belief. I understand that false statements made herein are subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsifications to authorities.

Date: 7-22-21


Larry Krasner