



YUROK TRIBE

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Yurok Tribe files federal RICO case against titans of pharmaceutical industry Court case aims to stem opioid epidemic on rural reservation, the United States

The Yurok Tribe filed in federal court a RICO case against the pharmaceutical giants that are alleged to be responsible for the surging opioid epidemic in the United States and on the Yurok Reservation.

“Without these pharmaceutical manufacturers and wholesalers, the widespread abuse of prescription pain pills on tribal lands and across the entire US would never have reached the terrifying level it is at today,” said Amy Cordalis, the Yurok Tribe’s General Counsel and Yurok Tribal member. “The only difference between these companies and drug cartels is the fact that legal purveyors of prescription opioids have protection from law enforcement and seemingly unlimited funds to market and distribute to the masses their highly addictive drugs. There is not a single Yurok family that has not either directly or indirectly experienced the horrors of opiate addiction.”

The complaint, filed on behalf of the Tribe by Zwerling, Schachter & Zwerling, LLP and Loeff Cabraser Heimann & Bernstein, LLP in the United States District Court for the Northern District of California, alleges that 20 defendants violated the 1970 Racketeer Influenced and Corrupt Organizations Act (RICO). The defendants, ranging from Purdue Pharma to Johnson & Johnson, include both manufacturers and distributors of opiate-based drugs. The complaint alleges that defendants concealed important facts about the dangers of opioids and the costs to communities, such as that of the Yurok Tribe. Also contained in the complaint are charges of false advertising, public nuisance and participating in unlawful, unfair, and/or fraudulent business practices. The Tribe decided to pursue the case after Yurok Chief Justice Abby Abinanti, a longtime magistrate and Yurok Tribal member, first identified opiate addiction as a significant health and safety issue on the reservation and she has largely spearheaded this effort to hold the defendants accountable.

The Yurok Reservation, located in one of only a handful of places where the US opioid crisis initially took root, occupies land in rural Northern California’s Humboldt and Del Norte Counties. Humboldt County, one of the first counties in the entire nation to see lawfully produced prescription painkillers diverted for clandestine purposes, has had crisis-level overdose rates for over a decade. Much of this so-called medicine has made it to the reservation, which is evidenced by the number of inquiries the Tribe receives from those looking for opioid addiction treatment.

“For too long, the Yurok Tribe has been forced to contend with the deadly aftermath of the proliferation of opioids in society,” according to the complaint. “Opioid manufacturing and distributing companies systematically and repeatedly disregarded the health and safety of the public, including the Yurok Tribe.”

In the United States, 91 people die every day from opioid overdose and in 2016 opiates killed 42,000 US citizens, including disproportionately high numbers of Native Americans, according to the US Centers for Disease Control and Prevention. In March 2, 2018, the Journal of the American Medical Association announced the results of a yearlong study, which showed that commonly prescribed opioids produced less pain relief than over-the-counter, non-opioid drugs in patients suffering from serious back aches as well as hip or knee arthritis.

This filing represents the first step toward a jury trial in federal court, where the corrupt actions of the accused will be presented for the world to see.

“It is clear that we as a nation have been sold a bill of goods as it relates to opiate painkillers. These drugs have caused so much unnecessary heartache as well as the untimely deaths of many Native American and non-Indian people. The companies that produce, market and distribute them need to be held accountable,” concluded Cordalis.

The Yurok Tribe is the largest federally recognized Indian tribe in California and has a reservation that straddles the Lower Klamath River, extending for one mile on each side of the river, from its entry into the Pacific Ocean to approximately 45 miles upriver to the confluence with the Trinity River. The Tribe’s major initiatives include: natural resources management, fisheries protection, watershed restoration, dam removal, condor reintroduction, cultural revitalization, language preservation and land acquisition.