

Opinion The Justice Department was right to object to Purdue's rotten deal

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In their Aug. 25 op-ed, "[The Purdue Pharma settlement is just for victims](#)," Anthony Casey and Edward Morrison claimed that but for bankruptcy, "there would have been no other way for all the [Sackler] family's victims to come together to hammer out a settlement." But individual opioid victims and their families never negotiated anything: They were presented with the take-it-or-leave-it deal negotiated between the Sacklers and Purdue — and those who objected had the deal imposed on them.

Mr. Casey and Mr. Morrison said it is "wrong to say victims were not given a day in court." It's astonishing that law professors would conflate the opportunity for a small number of victims to make victim impact statements in the bankruptcy court with actually getting to take their cases to trial. Nobody got their day in court against Purdue or the Sacklers.

Finally, Mr. Casey and Mr. Morrison argued that insisting on due process for opioid victims would potentially delay their compensation by months or years. Yet the very settlement that Mr. Casey and Mr. Morrison praised is in no rush to get funds to opioid victims: It has the Sacklers making payments over nearly 20 years and earning interest on their funds in the interim. There is no reason that a fair settlement could not have a faster payment schedule. The Justice Department did the right thing objecting to Purdue's rotten deal with the Sacklers.

Adam Levitin, *Washington*

The writer, a professor at Georgetown University Law Center, testified before Congress on the Purdue Pharma Supreme Court cases and submitted amicus briefs at various stages in the Purdue Pharma bankruptcy.

If the Supreme Court strikes down the illegitimate and unconstitutional liability releases for the Sacklers, it will indeed be unfortunate that Purdue wasted hundreds of millions of dollars for armies of professionals to concoct and defend an illegal "settlement," which is a euphemistic description of cramming it down the throats of unconsenting victims and their families.

And, during that very long process, since 2019, Purdue has also unconscionably delayed desperately needed compensation for victims and their families by completely freezing them out of any recourse to the constitutionally guaranteed processes by which our civil justice system reckons with those who have wrongfully injured others, even on a monstrous scale.

There are eminently feasible, well-trodden means of rendering justice for massive iniquity, which can and will produce much better (and actual) settlements for victims, if the Supreme Court repudiates the kind of ad hoc, designer justice system for the wealthy of which the Purdue deal is emblematic.

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