

**RESOLUTION R-2023-63  
LUZERNE COUNTY COUNCIL**

*A Resolution by the Luzerne County Council Approving the Initiation of  
Litigation Regarding the Social Media Crisis and Approving a Contingent Fee Agreement*

WHEREAS, Section 4.07.B.3 of the Luzerne County Home Rule Charter provides the County Manager shall have the authority to recommend the initiation of litigation involving the County, subject to the approval of County Council; and

WHEREAS, Section 2.09.B.5 of the Luzerne County Home Rule Charter provides that County Council shall have the power to approve, by resolution adopted by a majority vote of the Council members, a recommendation by the County Manager to initiate litigation involving the County; and

WHEREAS, there exists a serious public health and safety crisis as a result of social media companies causing a rise in rates of depression, anxiety, suicide and other tragic events among the residents of Luzerne County; and

WHEREAS, the Luzerne County Manager and the Luzerne County District Attorney recommended the initiation of litigation in this matter and Luzerne County Council agrees that the initiation of such litigation is appropriate; and

WHEREAS, County Council for the County of Luzerne is desirous of approving the initiation of litigation to recover any money due to the County as a result of the serious public health and safety crisis as a result of social media companies causing a rise in rates of depression, anxiety, suicide and other tragic events in Luzerne County; and

WHEREAS, County Council for the County of Luzerne, at the recommendation of the County Manager and District Attorney, desire to engage the legal services of an outside law firm specializing in such litigation.

NOW, THEREFORE, BE IT RESOLVED, County Council for the County of Luzerne hereby approves the initiation of litigation as a result of the serious public health and safety crisis as a result of social media companies causing a rise in rates of depression, anxiety, suicide and other tragic events.

BE IT FURTHER RESOLVED, County Council for the County of Luzerne also approves the contingency fee agreement, subject to the terms contained therein, with the law firm of Bern Cappelli, LLC for legal services related to the litigation against social media companies. The fee agreement is attached hereto and incorporated by reference as though fully set forth herein.

This Resolution shall become effective six days after adoption.

ADOPTED at a meeting of the Luzerne County Council held May09, 2023.

ROLL CALL VOTE (11-0)

YES: Bienias, Lescavage, Lombardo, McDermott, McGinley, Mitchell, Perry, Radle, Thornton, SJ Urban and Wolovich

LUZERNE COUNTY COUNCIL

By: Kendra Radle  
Kendra Radle, Chair

Attest: Sharon Lawrence  
Sharon Lawrence, Clerk of Council

LUZERNE COUNTY MANAGER

By: Brian Swetz  
Brian Swetz, Acting County Manager