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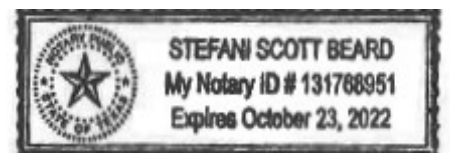
County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 11/25/2021 to 11/25/2021.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 01/25/2022

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Jury holds pharmacies responsible for their roles in opioid crisis

BY JOHN SEEWER
Associated Press

CLEVELAND

CVS, Walgreens and Walmart pharmacies recklessly distributed massive amounts of pain pills in two Ohio counties, a federal jury said Tuesday in a verdict that could set the tone for U.S. city and county governments that want to hold pharmacies accountable for their roles in the opioid crisis.

Lake and Trumbull counties blamed the three chain pharmacies for not stopping the flood of pills that caused hundreds of overdose deaths and cost each of the two counties about \$1 billion, their attorney said.

How much the pharmacies must pay in damages will be decided in the spring by a federal judge.

It was the first time pharmacy companies had completed a trial to defend themselves in a drug crisis that has killed a half-million Americans over the past two decades.

The counties were able to convince the jury that the pharmacies played an



TONY DEJAK AP

In Trumbull County in Ohio, roughly 80 million prescription painkillers were dispensed between 2012 and 2016 – equivalent to 400 for every resident. Lake and Trumbull counties convinced a jury that three chain pharmacies played an outsized role in contributing to the opioid crisis in their communities.

outsized role in creating a public nuisance in the way they dispensed pain medication into their communities.

“The law requires pharmacies to be diligent in dealing drugs. This case should be a wake-up call that failure will not be accepted,” said Mark Lanier, an attorney for the counties.

“The jury sounded a bell

that should be heard through all pharmacies in America,” Lanier said.

Attorneys for the three pharmacy chains maintained they had policies to stem the flow of pills when their pharmacists had any concerns and would notify authorities about suspicious orders from doctors. They also said it was the doctors who controlled how many

pills were being prescribed for legitimate medical needs.

Spokespeople for CVSHealth and Walgreen Co. said the companies disagree with the verdict and will appeal.

“As plaintiffs’ own experts testified, many factors have contributed to the opioid abuse issue, and solving this problem will require involvement from all stakeholders in our health care system and all members of our community,” CVS spokesperson Mike DeAngelis said in a statement.

Walgreen spokesperson Fraser Engerman said the company believes the court erred “in allowing the case to go before a jury on a flawed legal theory that is inconsistent with Ohio law.”

“As we have said throughout this process, we never manufactured or marketed opioids nor did we distribute them to the ‘pill mills’ and internet pharmacies that fueled this crisis,” Engerman said in a statement. “The plaintiffs’ attempt to resolve the opioid crisis with an unprecedented expan-

sion of public nuisance law is misguided and unsustainable.”

Two other chains – Rite Aid and Giant Eagle – already had settled lawsuits with the two Ohio counties.

Lanier said during the trial that the pharmacies were attempting to blame everyone but themselves.

The opioid crisis has overwhelmed courts, social services agencies and law enforcement in Ohio’s blue-collar corner east of Cleveland, leaving behind heartbroken families and babies born to addicted mothers, Lanier told jurors.

Roughly 80 million prescription painkillers were dispensed in Trumbull County alone between 2012 and 2016 – equivalent to 400 for every resident.

In Lake County, some 61 million pills were distributed during that period.

The rise in physicians prescribing pain medications such as oxycodone and hydrocodone came at a time when medical groups began recognizing that patients have the right to be treated for pain, Kaspar Stoffelmayr, an attorney for Walgreens, said at the opening of the trial.

The problem, he said, was that “pharmaceutical

manufacturers tricked doctors into writing way too many pills.”

The counties said pharmacies should be the last line of defense to prevent the pills from getting into the wrong hands.

They didn’t hire enough pharmacists and technicians or train them to stop that from happening and failed to implement systems that could flag suspicious orders, Lanier said.

The trial before U.S. District Judge Dan Polster in Cleveland was part of a broader constellation of federal opioid lawsuits – about 3,000 in all – that have been consolidated under the judge’s supervision. Other cases are moving ahead in state courts.

Kevin Roy, chief public policy officer at Shatterproof, an organization that advocates for solutions to addiction, said the verdict could lead pharmacies to follow the path of major distribution companies and some drug-makers that have reached nationwide settlements of opioid cases worth billions.

So far, no pharmacy has reached a nationwide settlement.

LEGAL PUBLICATION

OCA 150004
PUBLISHED IN THE WICHITA EAGLE
ON NOVEMBER 25, 2021 (407376)

(One Time Only)
MAPC/BZA December 16, 2021
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, December 16, 2021 no earlier than 1:30 p.m.**, the Wichita-Sedgwick County Metropolitan Area Planning Commission Board Zoning Appeals will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to the Wichita City Hall Building - 1st Floor Council Chambers - 455 N. Main Street, Wichita, Kansas 67202 (specified at the bottom of this notice). If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.

BZA2021-00067: City Variance to waive the screening and landscape requirements along the north and south property lines of property zoned MF-18 Multi-Family Residential to allow for the use of existing drives; generally located northwest of West 8th Street North and North Hoover Avenue (915 N. Hoover Avenue).

BZA2021-00069: City Variance to waive landscaping requirements associated with a Utility, Major substation on property zoned LC Limited Commercial; generally located at the northwest corner of W. MacArthur and S. Seneca.

BZA2021-00070: City Variance to reduce front setback to one-foot to permit construction of a carport on property zoned B Multi-Family; generally located two blocks west of South Hydraulic and one-quarter mile north of East Lincoln (1410 E. Gilbert).

CON2021-00055: City Conditional Use to allow vehicle sales on LC Limited Commercial zoned property; generally located 840 feet north of East 31st Street South on the east side of Hillside Avenue (3060 S. Hillside).

CON2021-00059: City Conditional Use to upgrade and bring an existing Utility, Major substation into compliance on property zoned LC Limited Commercial; generally located at the northwest corner of W. MacArthur and S. Seneca.

VAC2021-00048: City request to vacate portions of a platted front yard setback, and plat the easements on SF-5 Single-Family Residential zoned property generally located midway between N Hoover and N Ridge Roads, a half-mile north of W 37th Street North, southwest of the N Solano - W Palmetto Streets intersection.

VAC2021-00049: City request to vacate a platted alley generally located north of East Kellogg Street, on the south side of 271st West Street, between South Laura & South Pattie Avenues.

VAC2021-00050: City request to vacate a platted setback and a platted utility easement on LI Limited Industrial zoned property generally located midway between South West Street and South Edwards Avenue on the south side of West McCormick Avenue.

ZON2021-00054: City Zone Change from SF-5 Single-Family to TF-3 Two-Family for development of duplexes; Generally located on the north side of West MacArthur Road and within one half mile east of South Hoover Road.

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271st West Street, 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the Wichita-Sedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:

The meeting will be conducted "virtually" using Go-To-Meetings. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Wichita City Hall Building (see below).
Submit Comments Ahead of Time

You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meetings.

Email	Planning@wichita.gov
Mailing Address	Wichita-Sedgwick County Metropolitan Area Planning Department Attn: Scott Wadle 271 W. 3 rd Street - Suite 201 Wichita, KS 67202
Phone	316.268.4421
Fax	316.858.7764

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Attend In-Person
You may also participate in the hearing in-person at the Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-paid parking is available nearby, and COVID-19 protocols are in place. For more information please visit www.wichita.gov/visitcityhall. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on November 25, 2021
Scott Wadle, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission

FROM PAGE 1A

EVERGY

needs.”

At issue is a sustainability transformation plan, or STP, undertaken by Evergy after Elliott came on board. The plan calls for cost reductions on current operations and a large expansion in system investment, both of which would benefit the company’s bottom line and returns for shareholders.

The original plan envisioned \$8.9 billion in additional spending on transmission, distribution and renewable energy. In an investor presentation this year, Evergy added a fifth year and an increase in total capital spending to \$10.4 billion through 2025.

The commission issued an order Tuesday requiring Evergy to explain and justify that spending plan and report quality of service measures on a quarterly basis.

“Given Evergy’s apparent plans for large future investments, additional transparency is warranted,” the order said. “Accordingly, the Commission directs Evergy to file with its next Capital Plan Report filing an explanation of: (1) the projected increased spending levels,

and (2) the impact those spending levels will have on the trajectory of retail rates.”

Evergy could not be reached for comment.

Applauding the commission’s order and attitude is the Citizens’ Utility Ratepayer Board, the small state agency that represents residential and small-business customers.

“The energy burden in Kansas is a real thing,” said David Nickel, CURB executive director. “There are people that can’t afford their electricity. There are people that suffer as to whether they buy their food or buy their medicine, or keep heating their homes or keep their homes air conditioned in the hot summer months.”

The nationwide consumer watchdog group Public Citizen and the Communications Workers of America union recently filed a protest with federal officials alleging that Elliott and an affiliated hedge fund, Bluescape



Zoom image

KCC attorney Brian Fedotin, upper left, and commissioners Dwight Keen, lower left, and Andrew French, lower right, listen to Commissioner Susan Duffy, who was bluntly critical of the role played by international hedge fund Elliott Management in running Evergy, Kansas’ dominant power company.

Energy Partners, have virtually taken over Evergy.

“There is substantial evidence that the hedge funds exert controlling influence over Evergy,” said the filing to the Federal Energy Regulatory Commission.

“First, at least four of Evergy’s thirteen board members were selected by the hedge funds — C. John Wilder, Bluescape’s current Executive Chairman; David A. Campbell, former Bluescape President; Paul M. Keglevic; and former (Louisiana) U.S. Senator

Mary L. Landrieu,” the filing said. “A fifth individual, Kirkland B. Andrews, was Elliott’s board selection, a position he held until shifting over to become Evergy’s Executive Vice President and Chief Financial Officer.”

The protest alleged that even more than the membership on the board, the hedge funds exert control through a finance committee that was given sweeping powers in February “as the primary driver of management and investment decision making for the entire company.”

“There are five members of the Finance Committee, and all four of the Bluescape and Elliott board members serve on the Committee, with Bluescape’s Wilder serving as Chairman,” the filing said.

The Public Citizen/CWA protest also outlined several other instances around the country where Elliott had intervened in utilities, leading to increased rates for consumers.

Dion Lefler: 316-268-6527, @DionKansas

FROM PAGE 1A

WORKERS

for our most vulnerable populations.”

Raises for hourly workers will range from an additional \$1.50 to \$4.50 per-hour depending on vacancy rates and position.

Salaried employees will receive a \$3,500 bonus.

The raises will remain in effect through the end of

the fiscal year in June but must be approved by lawmakers to become permanent.

Last year, the Legislature declined to include across-the-board raises for state employees in the annual budget, citing concern about rewarding state employees while other Kansans struggled

with the impact of COVID-19.

Employees and the Kansas Organization of State Employees, however, have pointed to low pay and poor working conditions as a major driver of workforce shortages.

Sarah LaFrenz, president of the Kansas Organization of State Employees, called the pay hikes an “excellent step forward.”

“These raises and pay

differentials mean frontline workers like corrections officers and state hospital staff could finally get the safe staffing levels they need and proper pay for their unthinkable sacrifices on behalf of Kansans,” La Frenz said.

Private and public employers nationwide have been hit by staffing shortages this year prompting pay raises and bonuses to attract workers.

State workers in Mis-

souri saw a 2% raise in the budget Gov. Mike Parson signed this year. But he vetoed \$2 million to specifically raise the pay of child welfare employees whose division has been recently plagued with high caseloads and staffing woes.

The Star’s Jeanne Kuang contributed to this report.

Katie Bernard:
(816)234-4167,
@Katie_Bernard

FROM PAGE 1A

BOOMERANGERS

awesome the city has become since they left. And they’re giving the first 75 away for free.

It’s called the Boomerang Box, and it’s filled with local products including a bag of Reverie Coffee with a custom “Coming Home” label, a Lola Candle Co. mini candle, Wichita-centric stickers by Heartlandia, a chocolate bar from Cocoa Dolce and more.

The partnership is in-

cluding anyone who knows a Wichita native who has moved out of state to visit the website [choosewichita.com/boomerang](http://choosewichita.com/) to have a box sent to a “boomeranger.” The first 75 who type in the code “partnership” when ordering will get a free box.

The box is the brainchild of Meghan Carver, director of communications for the Greater Wichita Partnership. The group, when

researching how to attract talent to the Wichita area, determined that its time is best spent focusing on people who have roots in the city, she said.

She contacted ICT Box founder Devon Creasman, who founded her business, which offers custom curated gift boxes, when she was just 19 years old.

The two worked together to design the Boomerang Box.

“I love the mission behind it,” Creasman said. “I think it’s really cool that we’re reaching out to people who haven’t thought about Wichita in a

long time. Wichita has changed so much in the past five years, and with this, we’re able to give a little capsule of it.”

Boomerang Boxes must be ordered by Dec. 3. Once the 75 boxes the partnership is paying for are gone, people can still buy them for \$60 plus shipping at ictbox.squarespace.com.

All boxes will be mailed out by Dec. 15. They must be sent to people out of state.

Here’s what’s in each box:

- 12 oz bag of Reverie

Coffee with a custom “Coming Home” label

- Lola Candle Co mini candle
- Spicy J’s spice seasoning
- Cocoa Dolce Caramel Latté Gold Chocolate Bar (full size)
- Three Heartlandia stickers
- Choose Wichita marketing materials, including a unique brochure just for box recipients
- Custom postcard from sender

Denise Neil: 316-268-6327, @deniseneil