

# EXHIBIT A

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

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| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | MDL No: 2785                   |
| _____   | ) | Case No. 2:17-md-02785-DDC-TJJ |
|   | ) |                                |
| This Document Relates To:   | ) |                                |
|   | ) |                                |
| CONSUMER CLASS CASES.   | ) |                                |
| _____   | ) |                                |

**JOINT DECLARATION OF CO-LEAD COUNSEL IN  
SUPPORT OF CLASS PLAINTIFFS' MOTION FOR FINAL  
APPROVAL OF SETTLEMENT, APPROVAL OF PLAN OF ALLOCATION,  
AND AWARD OF ATTORNEYS' FEES, EXPENSES, AND SERVICE AWARDS**

We, Warren T. Burns, Paul J. Geller, Rex A. Sharp, Lynn Lincoln Sarko, and Elizabeth C. Pritzker, declare under penalty of perjury as follows:

1. Warren T. Burns is a partner at the law firm Burns Charest LLP and one of the attorneys serving as Co-Lead Counsel for Class Plaintiffs in this litigation. Mr. Burns submits this declaration in support of Class Plaintiffs' motion for (i) final approval of the settlement with the Mylan Defendants<sup>1</sup> (the "Settlement"), (ii) approval of the Plan of Allocation; and (iii) an award of attorneys' fees, litigation expenses and charges ("expenses"), and service awards. Mr. Burns makes this declaration based on his personal knowledge, and if called to do so, could testify to the matters contained herein. He has over 15 years of experience in complex litigation.

2. Paul J. Geller is a partner at the law firm Robbins Geller Rudman & Dowd LLP and one of the attorneys serving as Co-Lead Counsel for Class Plaintiffs in this litigation. Mr. Geller submits this declaration in support of Class Plaintiffs' motion for (i) final approval of the Settlement with the Mylan Defendants, (ii) approval of the Plan of Allocation; and (iii) an award of attorneys' fees, litigation expenses, and service awards. Mr. Geller makes this declaration based on his personal knowledge, and if called to do so, could testify to the matters contained herein. He has nearly 30 years of experience in complex litigation.

3. Rex A. Sharp is a partner at the law firm Sharp Law LLP and one of the attorneys serving as Co-Lead Counsel for Class Plaintiffs in this litigation. Mr. Sharp submits this declaration in support of Class Plaintiffs' motion for (i) final approval of the Settlement with the Mylan Defendants, (ii) approval of the Plan of Allocation; and (iii) an award of attorneys' fees, litigation expenses, and service awards. Mr. Sharp makes this declaration based on his personal knowledge,

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<sup>1</sup> "Mylan" refers collectively to Mylan N.V., Mylan Specialty L.P., Mylan Pharmaceuticals Inc., and Heather Bresch. "Mylan Defendants" refers collectively to Mylan and Viatrix Inc.

and if called to do so, could testify to the matters contained herein. He has over 35 years of experience in complex litigation.

4. Lynn Lincoln Sarko is a partner at the law firm Keller Rohrback L.L.P. and one of the attorneys serving as Co-Lead Counsel for Class Plaintiffs in this litigation. Mr. Sarko submits this declaration in support of Class Plaintiffs' motion for (i) final approval of the Settlement with the Mylan Defendants, (ii) approval of the Plan of Allocation; and (iii) an award of attorneys' fees, litigation expenses, and service awards. Mr. Sarko makes this declaration based on his personal knowledge, and if called to do so, could testify to the matters contained herein. He has over 35 years of experience in complex litigation.

5. Elizabeth C. Pritzker is a partner at the law firm Pritzker Levine LLP and one of the attorneys serving as Co-Lead Counsel for Class Plaintiffs in this litigation. Ms. Pritzker submits this declaration in support of Class Plaintiffs' motion for (i) final approval of the Settlement with the Mylan Defendants, (ii) approval of the Plan of Allocation; and (iii) an award of attorneys' fees, litigation expenses, and service awards. Ms. Pritzker makes this declaration based on her personal knowledge, and if called to do so, could testify to the matters contained herein. She has over 30 years of experience in complex litigation.

## **I. THE EPIPEN LITIGATION**

### **A. Procedural Background**

6. In 2016, many putative class action lawsuits were filed against Mylan and Pfizer<sup>2</sup> “involv[ing] allegations of anticompetitive conduct or unfair methods of competition” related to the EpiPen, an epinephrine auto-injector used in the emergency treatment of anaphylaxis. ECF No. 1

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<sup>2</sup> Pfizer, Inc., Meridian Medical Technologies, Inc., and King Pharmaceuticals, Inc. (n/k/a King Pharmaceuticals LLC) (collectively, “Pfizer” or the “Pfizer Defendants” and together with Mylan, the “Defendants”).

at 1. These cases were centralized by the Judicial Panel on Multidistrict Litigation into MDL No. 2785, *In re EpiPen (Epinephrine Injection, USP) Marketing, Sales Practices and Antitrust Litigation*, No. 17-md-2785, and transferred to the United States District Court in the District of Kansas before the Honorable Daniel D. Crabtree on August 4, 2017. ECF No. 1.

7. On September 12, 2017, the Court appointed Co-Lead Counsel and approved a leadership organizational structure, including Liaison Counsel and a Steering Committee. ECF No. 40. The Court has since substituted a member of the Steering Committee (ECF No. 2111) and added an additional Co-Lead Counsel (ECF No. 2018).

8. On October 17, 2017, Plaintiffs filed a 400-page Consolidated Class Action Complaint (“Complaint”) alleging claims for violations of the federal Racketeer Influenced and Corrupt Organizations (“RICO”) Act, certain state antitrust laws, and other causes of action. ECF No. 60.

9. On December 15, 2017, all Defendants filed motions to dismiss the Complaint contending none of Plaintiffs’ claims had merit. ECF Nos. 93, 95. Following extensive briefing, the Court granted in part and denied in part the motions to dismiss on August 20, 2018. ECF No. 896.

10. On December 7, 2018, Plaintiffs moved for class certification under Rule 23(b)(3) of the Federal Rules of Civil Procedure. ECF No. 1353. The motion was supported by extensive evidence obtained through depositions and discovery, as well as reports from multiple experts. Defendants vigorously opposed class certification, submitted multiple expert reports in support of their oppositions, and moved to strike Plaintiffs’ expert reports. Following extensive briefing on the class certification motion and the motions to strike each sides’ experts, the Court conducted a two-day class certification hearing on June 11-12, 2019.

11. On February 27, 2020, the Court granted in part and denied in part Plaintiffs' motion for class certification and the parties' respective motions to strike certain expert reports filed in connection with class certification. ECF Nos. 2017-18. The Court certified a nationwide RICO Class and a State Antitrust Class under Rule 23(b)(3) (collectively, the "Class"). ECF No. 2018. The Court also appointed Warren T. Burns, Paul J. Geller, Elizabeth Pritzker, Lynn Lincoln Sarko, and Rex A. Sharp as Co-Lead Counsel for the certified Class. *Id.*

12. On March 12, 2020, Defendants filed a Rule 23(f) petition for review of the Court's class certification decision with the Tenth Circuit. ECF No. 2035. The Tenth Circuit denied Rule 23(f) review on May 26, 2020. ECF No. 2071.

**B. The Parties Engaged in Extensive Discovery**

13. During the Action, Plaintiffs left no stone unturned to marshal evidence supporting their claims against Defendants, engaging in substantial fact discovery that involved the Defendants, Plaintiffs, and countless third parties. This discovery ultimately resulted in the production of over 1.75 million documents (totaling over 11 million pages) from Defendants and third parties, all of which Plaintiffs carefully reviewed, analyzed, and organized according to their theories of the case. In connection with this document discovery, there was extensive motion practice, particularly related to some of the subpoenaed third parties. Many of the third parties objected to producing documents in response to the subpoenas served by Plaintiffs and only complied with those subpoenas after Plaintiffs filed motions to compel and prevailed on those motions. *See, e.g.*, ECF Nos. 248-52, 645, 647, 687, 693, 695, 980, 1281, 1438-40, and 1444.

14. Plaintiffs also prepared for and defended or took 158 depositions, including those of Defendants' employees, all the named Plaintiffs (many of whom traveled from their homes to

Kansas for their depositions), several third parties that conducted business with Defendants related to the sale and marketing of the EpiPen, and experts for all parties.

15. Plaintiffs engaged in additional substantial expert discovery work as well, including consulting with and preparing eight expert witnesses,<sup>3</sup> preparing expert reports for class certification and summary judgment, and vigorously defending many *Daubert* motions against their experts. From October 2019 to February 2022, the parties served over a dozen expert reports on the merits of their claims and defenses in the Action.

### **C. Class Notice and Related Discovery**

16. In addition to fact and expert discovery, Plaintiffs also separately conducted discovery needed to provide notice of the Action to members of the certified Class. On April 21, 2020, Plaintiffs moved for the appointment of A.B. Data to act as the notice administrator and for Court approval of stage one of Plaintiffs' notice plan, which authorized Plaintiffs to issue subpoenas to the largest pharmacy benefit managers and pharmacy chains in the United States to obtain Class member contact information. ECF No. 2058. Over Defendants' opposition to Plaintiffs' notice plan, on June 1, 2020, the Court granted Plaintiffs' motion, appointed A.B. Data, and authorized the subpoenas. ECF No. 2074.

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<sup>3</sup> These experts included, among others: (1) Professor Meredith Rosenthal of Harvard, who provided several expert opinions on classwide damages; (2) Professor Einer Elhague of Harvard, who also opined on classwide damages and defendants' antitrust liability; (3) Dr. Jay Portnoy, a Professor of Pediatrics at the University of Missouri School of Medicine and a Physician in the Division of Allergy, Asthma & Immunology at Children's Mercy Hospital in Kansas City, Missouri, who provided medical opinions on anaphylaxis and its treatment; (4) James Bruno, who provided expert opinions on Teva's development of a generic EpiPen; (5) Dr. Andrew W. Torrance, who provided expert opinions relating to Plaintiffs' pay-for-delay claims; (6) Dr. Carl Peck, who provided expert opinions regarding Plaintiffs' pay-for-delay claims and the FDA approval process; and (7) Shawn Fox, a certified public accountant who provided expert opinions relating to Plaintiffs' unjust enrichment claims. Among other things, these experts helped shape Plaintiffs' strategy on class certification and proving the merits of Plaintiffs' claims.

17. Having issued the class notice subpoenas and obtained Class member contact information in response, on August 31, 2020, Plaintiffs moved for Court approval of stage two of Plaintiffs' notice plan, which sought approval of both the form and manner of providing notice to the certified Class. ECF No. 2209. Defendants again opposed the motion. On October 13, 2020, the Court granted Plaintiffs' motion and approved the form and manner of class notice, ECF No. 2240, which commenced on November 1, 2020, and ended on January 15, 2021. ECF No. 2245-1.

**D. Dispositive Motions, Pfizer Settlement, and Motion to Decertify**

18. On July 15, 2020, Defendants moved for summary judgment and filed *Daubert* motions to strike Plaintiffs' experts in whole or in part. ECF Nos. 2133, 2134, 2135, 2136, 2141, 2148, 2151, 2156. The parties extensively briefed the summary judgment and *Daubert* motions (Plaintiffs filed one *Daubert* motion directed to Defendants' experts and defended many more directed to Plaintiffs' experts).

19. On June 10, 2021, while Defendants' motions for summary judgment were pending, Plaintiffs and Pfizer agreed to settle the claims against Pfizer in the Action (the "Pfizer Settlement"). ECF No. 2393. The Court granted final approval of the Pfizer Settlement on November 17, 2021 and entered a Final Judgment and Order of Dismissal with Prejudice Under Fed. R. Civ. P. 54(b) for the Pfizer Defendants Only. ECF No. 2507.

20. On June 23, 2021, the Court entered Memoranda and Orders resolving the motions for summary judgment and *Daubert* motions as to Mylan. The Court denied Mylan's motion for summary judgment as to Plaintiffs' generic delay state antitrust claims, but granted Mylan's motion for summary judgment as to Plaintiffs' branded exclusion antitrust claims and RICO claims. ECF No. 2381. The Court also granted in part and denied in part Mylan's *Daubert* motions. ECF No. 2380.

21. The summary judgment order dismissed the claims of plaintiffs Landon Ipson, Michael Gill, Donna Dvorak, and April Sumner, who then sued the Mylan Defendants in the Other Actions for allegedly violating certain state antitrust laws and other federal and state laws, as delineated in their complaints, which were centralized into this MDL. ECF Nos. 2504, 2505.

22. Following the summary judgment decision, Mylan moved to decertify the state antitrust Class on July 8, 2021, ECF No. 2389, and Plaintiffs moved for reconsideration and 1292(b) certification of the grant of summary judgment on Plaintiffs' RICO claim on July 21, 2021, ECF No. 2398, and August 23, 2021, respectively. Upon extensive briefing, the Court denied both motions except in two limited respects related to Mylan's motion for decertification. ECF Nos. 2497, 2531. Mylan then moved for reconsideration of the Court's decertification order. ECF No. 2545. The Court heard argument on that reconsideration motion on January 10, 2022.

#### **E. Trial Preparation**

23. Trial was rescheduled multiple times because of COVID-19-related and other concerns. Plaintiffs began extensive trial preparation leading up to the then September 7, 2021 trial date, which the Court had set to last for approximately seven weeks. ECF No. 2169. That work involved meeting and conferring on preparation of a detailed proposed pretrial order, which served as the foundation for the Court's Pretrial Order entered July 17, 2020, ECF No. 2169, drafting jury instructions, preparing a proposed jury questionnaire, putting together witness and exhibit lists, preparing witness deposition testimony excerpts, and completing other work tasks necessary to ready the litigation for trial.

24. The September 7, 2021 trial date was continued to allow for approval proceedings related to the Pfizer Settlement. ECF No. 2399.

25. Most recently, trial was set to commence on February 22, 2022. ECF No. 2562. Plaintiffs once again prepared extensively for trial by preparing revised exhibit and witness lists, designating deposition excerpts, drafting jury instructions, finalizing a jury questionnaire with the Court, filing and arguing motions in limine in a full-day hearing, preparing voir dire questions, and many other necessary tasks. Plaintiffs also engaged several jury consultants and conducted multiple full-day mock jury proceedings in Kansas City.

## II. SETTLEMENT NEGOTIATIONS WITH THE MYLAN DEFENDANTS

26. As the February 22, 2022 trial date approached, Plaintiffs and the Mylan Defendants engaged in settlement discussions.

27. Plaintiffs subsequently agreed to a term sheet to settle all claims brought in or related to the Action and Other Actions against the Mylan Defendants in return for a non-reversionary cash payment of \$264 million inclusive of all fees and costs. On February 4, 2022, the Settling Parties informed the Court that they had agreed on the term sheet to settle all claims asserted in the Action and Other Actions.

28. Plaintiffs and the Mylan Defendants then extensively negotiated and drafted the Settlement Agreement and its related documents, which included the form of judgment, the proposed preliminary approval order, the claim form, the plan of allocation, and the forms of notice to the Class of the Settlement.

29. Plaintiffs and the Mylan Defendants completed their negotiations over the Settlement Agreement and its related documents on February 27, 2022 and executed the Settlement Agreement that day. ECF No. 2590-2. All the Class representatives approved and support the Settlement. *See* Declarations of Class Representatives, attached as **Exhibits A-2** thru **A-36**.

### III. THE MYLAN SETTLEMENT

30. The Settlement Agreement provides that Plaintiffs and the Class will settle and release their claims against the Mylan Defendants in exchange for a non-reversionary \$264 million cash payment (the “Settlement Amount”) from the Mylan Defendants, \$5 million of which was deposited into an Escrow Account within five days of the Court’s March 11, 2022 order granting preliminary approval of the Settlement (ECF No. 2594) and the remainder will be deposited into the Escrow Account by the later of July 1, 2022 or five calendar days before the Fairness Hearing. ECF No. 2590-2 at ¶ 2.1.

31. The cost of settlement administration, including the costs of notice to the Class, taxes, and tax expenses, will be funded by the Settlement Fund (*id.*, ¶¶ 2.7, 2.8), which consists of the Settlement Amount, plus all interest and accretions thereto. *Id.*, ¶ 1.38. The balance of the Settlement Fund (the “Net Settlement Fund”) will be distributed under the Plan of Allocation to Class Members who submit, or previously submitted in the Pfizer Settlement, timely and valid claim forms to the Settlement Administrator.

32. The Plan of Allocation (ECF No. 2393-9) is substantially similar to the Plan of Allocation the Court approved in the Pfizer Settlement and will create two pools of funds from the Net Settlement Fund, one for individual consumers and one for third-party payors. The allocation of funds as between the two pools is based on the work done by Plaintiffs’ experts and tracks, as a percentage, the relative damages allegedly suffered by individual consumers and third-party payors as calculated in the Rebuttal Merits Expert Report of Professor Meredith Rosenthal (ECF No. 2216-2). Within each pool, funds will be distributed on a *pro rata* basis to all eligible Class Members who file a timely and valid Proof of Claim. Funds remaining in one pool will spill-over to the other pool in certain circumstances. Plaintiffs expect that all funds will be distributed to Class Members

under the Plan of Allocation.<sup>4</sup> There is no right of reversion under the Settlement and under no circumstances will any portion of the Settlement Amount be returned to the Mylan Defendants once the Settlement becomes final.

#### IV. PRELIMINARY APPROVAL OF THE SETTLEMENT

33. On February 28, 2022, Plaintiffs moved for preliminary approval of the Settlement. ECF No. 2590. The Court granted preliminary approval of the Settlement on March 11, 2022. ECF No. 2594.

34. In the order granting preliminary approval of the Settlement, the Court also (i) appointed A.B. Data as the Settlement Administrator, (ii) approved the form and manner of notice to Class Members, and (iii) stayed the litigation pending a final determination about the approval of the Settlement. *Id.*

#### V. CLASS NOTICE AND SETTLEMENT ADMINISTRATION

35. The notice program proposed by Plaintiffs in their motion for preliminary approval of the Settlement (ECF No. 2590), and approved by the Court in the preliminary approval order (ECF No. 2594), has been implemented by A.B. Data, the Settlement Administrator.

36. As set forth in the accompanying Declaration of Eric Schachter of A.B. Data,<sup>5</sup> since the entry of the preliminary approval order, A.B. Data has (i) mailed 6,486,674 copies of the

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<sup>4</sup> Class Counsel anticipate that, under the Plan of Allocation's distribution terms, there will be no remaining funds for *cy pres* distribution. If there is any remaining balance in the Net Settlement Fund after the initial distribution—*e.g.* due to uncashed checks—the Settlement Administrator will reallocate such balance among Class Members pursuant to the terms of the Plan of Allocation. Any funds remaining for *cy pres* distribution should therefore be *de minimis*, existing only if a Class Member does not cash their check or otherwise deposit or accept their distribution after submitting a claim, *and* after additional distributions to qualifying claimants.

<sup>5</sup> Declaration of Eric Schachter of A.B. Data, Ltd. in Support of Class Plaintiffs' Motion for Final Approval of Settlement and Plan of Allocation ("Schachter Decl."), attached as **Exhibit A-1**.

summary notice to Class Members, (ii) emailed 1,790,695 copies (of which 1,378,488 were successfully delivered) of the summary notice to Class Members, (iii) implemented the media plan to publish notice of the Settlement on certain websites, social media platforms, and in *People* magazine, (iv) disseminated the summary notice as a news release via PR Newswire to about 10,000 newsrooms, and (v) updated and managed the settlement website, [EpipenClassAction.com](http://EpipenClassAction.com). See Schachter Decl. at ¶¶ 4-12.

37. The settlement website provides information to Class Members about the Action and the Settlement, contains links to important case and settlement documents, and allows Class Members to file a claim electronically. To date, there have been over 481,013 users visit the settlement website. See Schachter Decl. at ¶ 12. A.B. Data has also maintained a toll-free telephone number, with an automated interactive voice response system and live operators, that appeared on the Short-Form Notice and Long-Form Notice. To date, 18,800 phone calls have been received, of which 2,092 of the callers opted to speak with a live operator. *Id.* at ¶ 11.

## **VI. RESPONSE OF THE CLASS TO DATE**

38. The deadline for Class Members to object to the Settlement is June 8, 2022, and the deadline for Class Members to file a claim is July 25, 2022. As of May 20, 2022, 402,602 consumer claims and 3,351 TPP claims have been filed, many carried over as claims in the prior Pfizer Settlement. See Schachter Decl. at ¶ 13. As more new claims typically are filed closer to the claims filing deadline, A.B. Data (and Co-Lead Counsel) expects the claims rate will increase by the July 25, 2022 deadline. *Id.*

39. Co-Lead Counsel will provide the Court with a final update on the response of the Class in their June 27, 2022 filing, which is after the June 8, 2022 objection deadline and before the July 6, 2022 final approval hearing.

## **VII. THE SETTLEMENT IS FAIR, REASONABLE, AND ADEQUATE**

40. The undersigned Co-Lead Counsel are all senior attorneys at law firms with considerable experience in complex antitrust and civil RICO class actions, and we only agreed to settle with the Mylan Defendants after extensive investigation, written discovery, voluminous document production, motion practice, extensive deposition testimony by fact and expert witnesses, expert reports, data analyses, substantial trial preparation, and rigorous arm's-length negotiations.

41. Co-Lead Counsel have compared the substantial recovery the Class will receive from the Settlement against the risks, delays, and uncertainties of continued litigation, trial, and appeals.

42. Co-Lead Counsel sincerely believe the Settlement is fair, adequate, and reasonable, meets all the standards for approval under Rule 23(e) and Tenth Circuit law, and should be granted final approval for the reasons discussed below.

### **A. Standards for Approval of a Proposed Settlement**

#### **1. Plaintiffs and Their Counsel Have Adequately Represented the Class.**

43. Class Plaintiffs share the same interests and types of alleged injuries as the absent Class Members. They have participated in extensive discovery and kept informed of the developments of the case. And Class Plaintiffs have selected well-qualified counsel who are highly experienced and capable of handling class action and antitrust litigation. Co-Lead Counsel have litigated scores of such cases to resolution. As described above, before reaching the Settlement, Co-Lead Counsel conducted an extensive investigation and research into the claims asserted, reviewed extensive data and information, and consulted several experts. Co-Lead Counsel vigorously prosecuted the Action by, among other activities: (i) investigating the relevant factual events; (ii) drafting the detailed, 400-page Complaint; (iii) successfully opposing, in part, Defendants' motions

to dismiss; (iv) engaging in extensive document and written discovery, through both coordinated and non-coordinated phases, including reviewing, analyzing, and organizing over 11 million pages of documents produced by Defendants and third parties; (v) taking or defending 158 depositions; (vi) successfully, in part, moving for class certification supported by four expert reports; (vii) successfully opposing Defendants' petition to appeal the same to the Tenth Circuit under Rule 23(f); (viii) vigorously opposing summary judgment and *Daubert* motions, and achieving partial victories; (ix) successfully opposing, in part, Mylan's motion to decertify the Class; (x); preparing for a month-long trial; and (xi) at the same time, engaging in settlement negotiations with the Mylan Defendants' counsel. As a result of these extensive efforts, spanning tens of thousands of hours of work and several years, Co-Lead Counsel have achieved a significant all-cash Settlement of \$264 million with the Mylan Defendants, which will provide immediate relief to the Class.

## **2. The Proposed Settlement Was Negotiated at Arm's Length.**

44. The Settlement is the product of vigorous arm's-length negotiations between Plaintiffs and the Mylan Defendants, advised by their sophisticated counsel, who possessed more than sufficient evidence and knowledge to allow them to make informed decisions about the strengths and weaknesses of their cases. Counsel participated in many meetings and phone calls where they exchanged their opposing views on the merits of Plaintiffs' claims, issues for appeal, and the terms of the Settlement. Throughout, the Mylan Defendants maintained that Plaintiffs' claims were without merit and denied all allegations of wrongdoing whatsoever as to the subject matter of the Action. The relevant legal issues were fully developed and ready for trial. And Plaintiffs had worked before with a mediator to settle similar claims with the Pfizer Defendants, which provided valuable insight into the value of the claims and the strengths and weaknesses of their case. As a result, the Settling Parties were well prepared for the serious negotiations that led to the Settlement and were well-informed of the parties' arguments.

**3. The Proposed Settlement Is Adequate Considering the Costs, Risks, and Delay of Trial and Appeal.**

45. The current proposed Settlement notwithstanding, there remain many factual and legal issues on which Plaintiffs and the Mylan Defendants still intensely disagree. The Mylan Defendants deny that they have engaged in any wrongdoing as alleged by Plaintiffs, deny any liability whatsoever for any of Plaintiffs' alleged claims, and deny that Plaintiffs have suffered any injuries or damages. On the other hand, Plaintiffs have advanced many complex legal and factual issues under federal and state antitrust and federal RICO statutes. The issues on which the parties disagree are many, but include: (1) whether any of the Mylan Defendants engaged in conduct that would give rise to any liability to Plaintiffs under the RICO statute or certain state antitrust laws; (2) whether the Mylan Defendants have valid defenses to any such claims of liability; (3) the amount of damages Plaintiffs allegedly suffered because of the Mylan Defendants' alleged wrongdoing, as well as the methodology for estimating any such damages; (4) whether the Court properly certified the Class; and (5) whether the Mylan Defendants had other meritorious defenses to the alleged claims. Had the parties not settled this Action, the Court or a jury would eventually have to decide these issues, placing the ultimate outcome in doubt. While Plaintiffs believe their claims would be borne out by the evidence presented at trial, they recognize that there are significant hurdles to proving liability or even proceeding to trial.

46. This Action has already been pending for over five years, and the parties and the Court would expend significant additional time, resources, and costs to proceed to trial, and the inevitable appeals likely extending years into the future. Considering the complex legal and factual issues associated with continued litigation, there is an undeniable and substantial risk that, after years of continued litigation, Plaintiffs could receive an amount significantly less than the Settlement Amount, or nothing for their claims against the Mylan Defendants.

47. Thus, the \$264 million immediate recovery, particularly when viewed in the context of the risks, costs, delay, and the uncertainties of further proceedings, favors approval of the Settlement.

**4. The Proposed Method for Distributing Relief Is Effective.**

48. The settlement notice plan approved by the Court includes individual notice by email or First-Class Mail to all Class members who can be identified with reasonable effort, supplemented by various forms of internet and publication notice, targeted to reach likely EpiPen purchasers. In addition, a case-designated website has been created where settlement-related and other key documents have been posted, including the Settlement Agreement, Notices, Plan of Allocation, Proofs of Claim (Claim Forms), and Preliminary Approval Order. The Settlement website also allows for claims to be filed electronically. The claims process is streamlined even further because Class Members who already submitted claims under the Pfizer Settlement will automatically be eligible to receive payments from the Mylan Settlement without the need to file another claim form.

49. Plaintiffs have proposed a fair and orderly claims administration process in which Class Members who wish to participate in the Settlement will complete and submit claims in accordance with the instructions contained therein. ECF No. 2594. The Settlement Administrator will distribute the Net Settlement Fund to eligible Class Members on a *pro rata* basis under a Court-approved Plan of Allocation. ECF No. 2590-9. The Plan of Allocation proposed here was prepared with information provided by Plaintiffs' experts and in consultation with A.B. Data.

**5. Attorneys' Fees and Expenses.**

50. Plaintiffs' counsel seek an award of attorneys' fees of one-third of the Settlement Amount, plus payment of Plaintiffs' counsel's expenses incurred in connection with this Action, plus interest earned on these amounts at the same rate as earned by the Settlement Fund.

51. As for the timing of payment, the Settlement Agreement provides that any Plaintiffs' attorneys' fees and expenses, as awarded by the Court, must be paid to Plaintiffs' counsel within ten days of the Court executing the Judgment and an order awarding such fees and expenses, subject to Plaintiffs' counsel's several obligations to make appropriate refunds or repayments to the Settlement Fund plus interest if, and when, as a result of any appeal or further proceedings on remand, or successful collateral attack, the fee or expense award is lowered or the Settlement is disapproved by a final order not subject to final review. ECF No. 2590-2 at ¶¶ 6.1-6.3.

**6. The Settling Parties Have No Additional or Side Agreements.**

52. Plaintiffs and the Mylan Defendants have no additional or side agreements.

**7. Class Members Are Treated Equitably.**

53. Class Members are treated equitably here. The Net Settlement Fund will be allocated based on estimated damages as calculated in the Rebuttal Merits Expert Report of Professor Meredith Rosenthal and then distributed on a *pro rata* basis to Class Members based on total amounts paid for EpiPens during the Class Period. Two separate pools are established for TPPs and individual consumers because of their differing claim rates. The Plan of Allocation provides for a spill-over from one pool to the other if one pool exhausts but the other does not. Therefore, all Class Members, including the appointed class representatives, are treated alike and equitably in receiving their *pro rata* share of the Settlement.

**VIII. ATTORNEYS' FEES, LITIGATION EXPENSES AND SERVICE AWARDS**

54. Plaintiffs seek an award of one-third of the \$264 million Settlement Amount, or \$88 million, in attorneys' fees, \$1,426,642.93 in litigation expenses, and service awards in the amount between \$3,160 and \$5,000 for each of the 35 Class representatives (the "Fee Motion").

55. The amount of attorneys' fees requested by Plaintiffs in the Fee Motion is consistent with the information disclosed in Plaintiffs' motion for preliminary approval of the Settlement. *See*

ECF No. 2590-1 at 20. In the preliminary approval motion, Plaintiffs also disclosed that they would be seeking an award of litigation expenses and service awards for the Class representatives. *Id.*

56. The amount of attorneys' fees requested in the Fee Motion also was disclosed to Class Members in the settlement notice, which states that counsel will seek attorneys' fees not to exceed one-third of the Settlement Fund, as well as reimbursement of litigation expenses and service awards for the class representatives. *See* ECF No. 2590-4 at 13.

**A. Attorneys' Fees Incurred by Plaintiffs' Counsel**

57. As described above and as reflected in the Court docket, for the past five years, Plaintiffs' counsel have taken the lead in prosecuting this litigation on a completely contingent basis to a successful resolution with the Mylan Defendants on behalf of Plaintiffs and the Class. We have always believed in the importance and merit of the antitrust and RICO claims asserted in this litigation, and knew the claims asserted would be time-consuming and resource-intensive to develop and prove. We also knew the case would require years of discovery, extensive motion practice, a contentious class certification process, a substantial dispositive motion challenge, and a difficult and lengthy trial on the merits. We fully anticipated, moreover, that the claims would have to survive difficult challenges at several different stages of the case—on a motion to dismiss, at the class certification phase, on a motion for summary judgment, at trial, and on appeal—and appreciated that there was a substantial risk of no recovery. And finally, we pursued this antitrust and RICO case even though there was no assistance from any parallel government matter.

58. Plaintiffs' counsel performed substantial work at the outset of the litigation, including researching and drafting original complaints, informally organizing counsel to work together in a unified manner, drafting and filing motions with the Judicial Panel on Multidistrict Litigation to have the various cases against Defendants consolidated and sent to this Court, and

arguing before the JPML. These efforts were successful and resulted in the cases being consolidated and sent to this Court.

59. Once the litigation was before this Court, Plaintiffs' counsel researched and drafted a consolidated amended complaint, successfully defended in part motions to dismiss, prevailed in part on their motion for certification of a nationwide class, oversaw and conducted extensive discovery throughout the United States (including written discovery, document review, data review, depositions, interviews, and non-party subpoenas), and retained and worked with multiple experts in connection with class certification and the merits. Plaintiffs' counsel also successfully opposed in part Mylan's summary judgment and *Daubert* motions, successfully opposed in part Mylan's motion for decertification, and had completed almost all work to ready the case for trial when the Settlement was reached.

60. As for the Settlement, Plaintiffs' counsel successfully negotiated the Settlement, drafted the Settlement Agreement with Mylan Defendants' counsel, sought and obtained preliminary approval of the Settlement, retained and oversaw the Settlement Administrator and notice program, and prepared the pending motion for final approval of the Settlement. Plaintiffs' counsel have also been communicating with Class Members about the Settlement since the notice was distributed. And Plaintiffs' counsel will continue to ensure proper distribution of the settlement proceeds and address any issues that arise after final approval of the Settlement.

61. Plaintiffs' counsel's collective lodestar through April 30, 2022, based on the current usual and customary hourly billing rates of each firm, is more than \$103 million based on more than 163,000 hours billed. These attorney hours were reported to Court-appointed Liaison Counsel in detailed monthly time and expense reports throughout the litigation under a strict time and expense protocol that was prepared for and required for all participating Plaintiffs' counsel.

62. Plaintiffs' counsel are seeking an award of \$88 million in attorneys' fees, which when combined with the \$115 million fee Plaintiffs' counsel received from the Pfizer Settlement Fund, amounts to \$203 million in total fees for this case, or an aggregate multiplier of 1.97.

63. In addition to the work done by Co-Lead Counsel, the collective lodestar set forth in paragraph 61 above includes time for a dozen other law firms representing certain Plaintiffs that did work at various points in the litigation. All firms that did work on the litigation under the supervision and at the request of Co-Lead Counsel agreed in advance to adhere to a time and expense reporting protocol that required detailed monthly time and expense reporting throughout the litigation.

64. An award of attorneys' fees of one-third of the \$264 million Settlement Fund, amounting to \$88 million, is consistent with this District's law and the Tenth Circuit's requirement that the fee be reasonable under review of the 12 *Johnson* factors set forth in *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714 (5th Cir. 1974).

65. Johnson Factors: The 12 *Johnson* factors must be considered differently depending on whether the case is (a) a common fund contingent fee case, or (b) a fee-shifting, lodestar/multiplier case. In a lodestar/multiplier case—unlike this case, the important factors are in the order below because the starting base is time and rates. Factor 1 sets the time, and Factors 2-7 and 9-11 set the rate:

- (1) the time and labor involved
- (2) the novelty and difficulty of the questions;
- (3) the skill requisite to perform the legal services properly;
- (4) the preclusion of other employment by the attorney due to acceptance of the case;
- (5) the customary fee;
- (6) any prearranged fee
- (7) time limitations imposed by the client or other circumstances;
- (8) the amount involved and results obtained;
- (9) the experience, reputation, and ability of the attorneys;
- (10) the undesirability of the case;

- (11) the nature and length of professional relationship with the client; and
- (12) awards in similar case.

But in a contingent fee, common fund case, the standard 33 1/3% fee is applied by looking mainly at Factors 8 and 12, and the other factors that are not as important can be looked at to enhance or detract from that standard fee. With this understanding, we address the *Johnson* Factors in numerical order, not by importance in this common fund case.

- (1) Time and labor required. In a common fund, contingent fee case when everyone knows at the outset of the case that Plaintiff's counsel will only get paid for results, and not how much time or labor it takes to get those results, this factor is important to show the case was not a lay-down winner involving little effort or risk. Here, given the battle reflected on the Docket and the over 163,000 hours invested by Class Counsel, this factor warrants an enhancement above the standard one-third fee.
- (2) The novelty and difficulty of the question. Class actions are always difficult, and when coupled with RICO and antitrust claims, often present novel questions as they did in this case. Again, this factor supports an enhancement above the standard one-third fee.
- (3) The skill requisite to perform the legal services properly. The complexity of this case—procedurally, factually, and substantively—required highly skilled counsel to represent the Class. To prosecute these claims against large corporate defendants, represented by highly capable defense counsel with extensive resources, required assembling a team of Class Counsel skilled in RICO and antitrust indirect purchaser class action litigation. The qualifications, skills, and experience of the attorneys here are well known throughout the legal community; we are highly skilled and capable counsel who worked very hard to obtain an excellent result for the Class. Again, this factor supports an enhancement above the standard one-third fee.
- (4) The preclusion of other employment. Co-Lead Counsel are engaged in the on-going practice of law. Committing to take one major case necessarily precludes taking on other cases. With the commitment of time and resources to this case, Co-Lead Counsel could not accept many other matters. The prosecution of this case has substantially reduced the Co-Lead Counsel's opportunity for employment in other matters. Again, this factor supports an enhancement above the standard one-third fee.
- (5) The customary fee. These types of class action cases are always handled on a contingent fee basis. The fee percentage in these types of cases is customarily 40% of the gross fund. Less difficult, less risky, and less

expensive class actions can be handled for one third, but not RICO or indirect purchaser class actions. Again, this factor supports an enhancement above the standard one-third fee.

- (6) Any prearranged fee. All class representatives engaged counsel here on a contingency fee basis. Class Counsel agreed to advance litigation costs to pursue the claims on behalf of Plaintiffs and the Class and to recover litigation expenses only if Class Counsel was successful in recovering money. Class Counsel bore the risk of no recovery of expenses or time invested if they were unsuccessful. Again, this factor supports an enhancement above the standard one-third fee.
- (7) Time limitations imposed by client or circumstances. Although Plaintiffs nor the Class imposed time limitations on Class Counsel, the Court's orders, its local rules, the Federal Rules of Civil Procedure, and circumstances imposed many. Class Counsel had to meet rigorous deadlines to move the case toward settlement or trial. Again, this factor supports an enhancement above the standard one-third fee.
- (8) The amount involved and results obtained. The Class and Co-Lead Class Counsel had no assurance of any recovery, much less a substantial recovery as in this case. Defendants raised many defenses to the Class's claims. But for the efforts of Co-Lead Counsel, no Settlement Fund would exist. The \$264 million Mylan Settlement combined with the \$345 million Pfizer Settlement (\$609 million total) in this case, which Class Counsel valued at more than \$2 billion in actual damages, and considerably less, if anything, by the Defendants, represents around a 30% recovery. The results obtained for the Class are excellent. Again, this factor supports an enhancement above the standard one-third fee.
- (9) Experience, reputation, and ability of counsel. As earlier stated, this case required highly skilled counsel to represent the Class. To prosecute class claims against a large corporate defendant like Mylan, represented by the very best defense counsel, required assembling a team of Class Counsel qualified, skilled, and experienced in RICO, indirect purchaser, and class action litigation. This factor supports an enhancement above the standard one-third fee.
- (10) The undesirability of the case. Compared to most civil litigation that attracts counsel to represent plaintiffs on a contingent basis, this litigation with complex procedural and legal issues against a large and zealously-represented defendant fits the initially "undesirable" test. Few law firms are willing to risk the investment of the time and expenses necessary to prosecute litigation of this sort to completion. The issues of class certification, liability, and damages were all hotly contested. Certainly, the possibility of no recovery was a significant risk and made the case undesirable to all but a few

firms. Again, this factor supports an enhancement above the standard one-third fee.

- (11) Nature and length of the professional relationship with the client. This factor has little to do with contingent fee litigation or this case. This factor is inapplicable or neutral on enhancement of the standard one-third fee.
- (12) Awards in similar cases. The awards in similar cases are discussed in Co-Lead Counsel's motion and exhibits, which are incorporated by reference. A one-third fee award of the common fund for attorney's fees is consistent with fees awarded by this Court, in the Tenth Circuit, and other courts across the country. That said, the fee is often higher in complex cases such as this one. Again, this factor supports an enhancement above the standard one-third fee, but only the one-third standard fee is being sought in this settlement.

## **B. Unreimbursed Costs and Litigation Expenses**

66. Plaintiffs' counsel have expended millions of dollars in costs, expenses, and charges in order to effectively prosecute this Action against two large and well-funded Defendants. From July 1, 2021 through April 30, 2022, Plaintiffs' counsel have incurred \$1,426,642.93 in costs, expenses, and charges in connection with the prosecution of this Action. These costs and expenses are broken down in the declarations of Plaintiffs' counsel attached as **Exhibits A-37** thru **A-44**, and are summarized in the following chart:

| <b>Firm</b>      | <b>Expenses Reported</b> |
|------------------|--------------------------|
| Robbins Geller   | \$347,736.75             |
| Keller Rohrback  | \$181,238.50             |
| Pritzker Levine  | \$164,343.90             |
| Burns Charest    | \$357,311.40             |
| Sharp Law        | \$180,870.35             |
| Boies Schiller   | \$99,526.48              |
| Lanier Law Firm  | \$95,213.55              |
| Levi & Korsinsky | \$402.00                 |
| <b>Total</b>     | <b>\$1,426,642.93</b>    |

67. These expenses include items typically borne by clients in non-contingent fee litigation, such as expert costs, court reporting services and transcripts, document management, travel, electronic research, photocopying, overnight delivery, phone charges, and jury consultant fees, among others, and are directly related and necessary to Plaintiffs' counsel's prosecution of this litigation and are typical of large, complex class actions such as this.

68. The costs, expenses, and charges summarized in paragraph 66 above and itemized in Exhibits A-37 thru A-44 were incurred on behalf of Plaintiffs and the Class by Plaintiffs' counsel on a contingent basis and have not been repaid. All these costs and expenses are reflected in the books and records of each firm, which are prepared from expense vouchers, check records, invoices and other source materials, and represent an accurate recordation of the costs and expenses incurred in connection with this action. Copies of all such records are available at the Court's request.

**C. Service Awards to the Class Representatives**

69. The 34 individual and one third-party payor class representatives are named plaintiffs in the Complaint and have made significant contributions that inured to the benefit of the Class.

70. In response to Defendants' discovery requests, all the Class representatives gathered and produced responsive documents and worked with counsel to provide written responses to Defendants' interrogatories. All the Class representatives also expended significant time and effort in preparing for and attending their depositions, which included reviewing their documents and written discovery responses and meeting with counsel before the deposition and, in many instances, traveling to Kansas City for the deposition. And the Class representatives stayed informed of case developments and procedural matters over the course of the case and reviewed and approved the settlement with the Mylan Defendants. Each Class representative describes and attests to the

specific work they performed to advance the case for the benefit of the Class in the declarations attached as **Exhibits A-2** thru **A-36**.

71. The Class representatives all performed their class representative duties willingly and ably for the benefit of Class members, and they did so without guarantee of reimbursement or compensation for the work they performed on behalf of the Class.

72. All the class representatives have served as Plaintiffs throughout the Action except for Landon Ipson, Donna Dvorak, April Sumner, Michael Gill, and Anastasia Johnston. On June 23, 2021, the Court dismissed Mr. Ipson, Ms. Dvorak, Ms. Sumner, and Mr. Gill from the Action because they had never filed an underlying case transferred to this MDL. ECF No. 2381 at 163. Then more recently, the Court dismissed Ms. Johnston because it found she had not sustained a financial injury. ECF No. 2531 at 2. Since their dismissal, Mr. Ipson, Ms. Dvorak, Ms. Sumner, and Mr. Gill have filed the Other Actions, which have been transferred to this Court. These four individuals and Ms. Johnston are parties to the Settlement Agreement with the Mylan Defendants. All five have expended 45 more hours contributing to this case, participated in discovery, and sat for their deposition. Exhibit A-12 (Gill Decl. ¶¶ 4-5); Exhibit A-30 (Sumner Decl. ¶¶ 4-5); Exhibit A-16 (Ipson Decl. ¶¶ 3-4); Exhibit A-10 (Dvorak Decl. ¶¶ 4-5); Exhibit A-17 (Johnston Decl. ¶¶ 4-5). And the four who refiled the Other Actions transferred to this MDL have agreed, as part of the Settlement, to dismiss and release the Other Actions. Settlement Agreement at ¶ 1.28.

73. In authorizing service awards for the Class representatives in the Pfizer Settlement, the Court used the following formula to determine the amount for each Class representative: (1) Plaintiff Class Representatives who spent 60 or more hours working on the case were awarded a \$5,000 service award, and (2) Plaintiff Class Representatives who devoted fewer than 60 hours working on the case were awarded a service award calculated using the number of hours that the

Plaintiff Class Representative worked on the case multiplied by \$79 per hour. ECF No. 2506, ¶ 24. In the opinion of this counsel, the Class representatives are each deserving of a service award here based on the same formula in recognition of the important contribution they made in obtaining this Settlement and the benefits it ultimately provides for the Class. Based on the hours set forth in the Class Representatives' declarations, together the requested 35 service awards amount to \$151,584, which is 0.06% of the \$264 million Settlement Fund.

74. The approximate Net Settlement Fund to be distributed to the Class amounts to \$174,421,773.07 after the \$88 million attorneys' fees award, the \$1,426,642.93 in Plaintiffs' counsel's expenses, and the \$151,584 in services awards to Class representatives are subtracted from the \$264 million Settlement Fund.

We declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 20th day of May 2022 at the following locations:

/s/ Rex A. Sharp  
Rex A. Sharp,  
Prairie Village, Kansas

/s/ Warren T. Burns  
Warren T. Burns,  
Dallas, Texas

/s/ Paul J. Geller  
Paul J. Geller,  
Boca Raton, Florida

/s/ Elizabeth C. Pritzker  
Elizabeth C. Pritzker,  
Emeryville, California

/s/ Lynn Lincoln Sarko  
Lynn Lincoln Sarko,  
Seattle, Washington

# EXHIBIT A-1



resale, by themselves, their family member(s), insureds, plan participants, employees, or beneficiaries, at any time since August 24, 2011.

3. As detailed in the Preliminary Approval Declaration, the Notice Plan featured: i) direct notice by a combination of email and mail to potential consumer Class Members; ii) direct notice to potential third-party payor (“TPP”) Class Members using A.B. Data’s proprietary database (the “TPP Database”); iii) a digital advertising campaign on numerous digital and social media platforms; iv) a print advertisement in *People* magazine; v) a news release disseminated over *PR Newswire*; and vi) a toll-free telephone number and case-specific website to address potential Class Member inquiries.

#### **DIRECT NOTICE**

4. As detailed in the Preliminary Approval Declaration, A.B. Data has been maintaining contact information for potential consumer Class Members. This contact information was used to provide direct notice by a combination of email and mail.

5. On March 24, 2022, A.B. Data began to send the Short-Form Notice by email to potential consumer Class Members with a known email address. To maximize deliverability, A.B. Data implemented several best practices such as sending the emails in tranches over a period of weeks and not using email attachments and certain trigger words to avoid SPAM and junk filters. In total, A.B. Data sent the Short-Form Notice to 1,790,695 unique email addresses, of which 1,378,488 were successfully delivered. A true and correct copy of the emailed Short-Form Notice is attached as **Exhibit A**.

6. Beginning on March 18, 2022 and continuing on a rolling basis for approximately 30 days, A.B. Data sent the Short-Form Notice formatted as a sealed double-postcard (“Postcard Notice”) by First-Class Mail to potential consumer Class Members with a known mailing address and either an unknown or invalid email address. Prior to mailing the Postcard Notices, in order to

standardize and update the mailing addresses where applicable to maximize postage discounts, A.B. Data processed all mailing addresses through the United States Postal Service's ("USPS") National Change of Address database ("NCOA"). In sum, A.B. Data caused 6,444,975 Postcard Notices to be mailed to potential consumer Class Members. A true and correct copy of the Postcard Notice is attached as **Exhibit B**.

7. On March 18, 2022, A.B. Data mailed the Postcard Notice to the 41,699 entities in A.B. Data's TPP Database. These entities include insurance companies, health maintenance organizations, self-insured entities, pharmacy benefit managers ("PBMs"), third-party administrators ("TPAs"), and other entities that represent TPP Class Members.

#### **DIGITAL MEDIA**

8. To supplement direct notice efforts, beginning on March 24, 2022, A.B. Data caused internet banner ads and social media newsfeed ads to appear on various websites and social media platforms. Over 359 million impressions have been delivered resulting in over 287,962 engagements and/or conversions across Twitter, Facebook, Instagram, Healthline.com, WebMD.com and other health-related websites. The banner ads will continue to run through May 12, 2022. To provide additional reach to TPP Class Members, A.B. Data also caused digital banner ads to appear on ThinkAdvisor.com/life-health, which is affiliated with the former publication *National Underwriter Life & Health* to provide notice to insurance agents and brokers and related TPP professionals, and BenefitNews.com, which targets HR personnel that specialize in employee benefits including health insurance. A sampling of the consumer and TPP digital banner and newsfeed ads are attached as **Exhibit C**.

**PRINT MEDIA**

9. The Short-Form Notice was published in *People* magazine that hit newsstands on April 15, 2022. Proof of the publication is attached as **Exhibit D**.

**EARNED MEDIA**

10. On March 18, 2022, A.B. Data caused the Short-Form Notice formatted as a news release be disseminated via *PR Newswire*'s US1 and Multi-cultural Newswire distribution lists. This news release was distributed via *PR Newswire* to the news desks of approximately 10,000 newsrooms across the United States and was translated and published in multiple languages. A true and correct copy of the press release is attached as **Exhibit E**.

**TELEPHONE AND WEBSITE**

11. A.B. Data continues to maintain a toll-free telephone number (1-877-221-7632) with an automated interactive voice response system and live operators. The toll-free telephone number appeared on the Short-Form Notice and Long-Form Notice. On March 18, 2022, the automated interactive voice response system, which presents callers with a series of choices to hear prerecorded information, was updated with Settlement-specific information. Callers also had the option to speak with a live operator during business hours. Since March 18, 2022, a total of 18,800 phone calls have been received, of which of the callers opted to and 2,092 spoke with a live operator.

12. A.B. Data continues to maintain the case website, **EpiPenClassAction.com**. Beginning on March 18, 2022, the website was updated to include Settlement-specific information, including relevant deadlines, a downloadable version of the Settlement Agreement, Preliminary Approval Order, the Long-Form Notice, Consumer and TPP Claim Forms, and other relevant

documents regarding the Action. The website also includes functionality for Class Members to submit their claims online. Since March 18, 2022, over 481,013 users have visited the website.

### **REPORT ON CLAIMS**

13. Pursuant to the Preliminary Order, Claim Forms are to be postmarked or submitted online on or before July 25, 2022. As of the date of this Declaration, A.B. Data has received a total of 402,602 consumer Claim Forms and 3,351 TPP Claim Forms, these numbers are inclusive of approximately 253,000 consumer Claim Forms and 3,200 TPP Claim Forms received as a result of the Pfizer Settlement. To date, the Pfizer Settlement and Mylan Settlement claims processes have operated well and without issue. A.B. Data continues to receive and process Claim Forms and anticipates that a large percentage of the TPPs will file claims closer to the filing deadline.

14. For the Mylan Settlement, A. B. Data has incurred administrative costs totaling \$3,930,503.32 through April 30, 2022, which is in large part made up of out-of-pocket expenses such as print, postage, and media. Going forward, A.B. Data estimates additional administrative costs of approximately \$350,000 to \$750,000 to complete the processing of claims, secondary audits and reviews, and to ultimately distribute the Pfizer and Mylan Net Settlement Funds to eligible claimants. Actual costs will be largely dependent on how many total claims are received by the July 25, 2022, deadline.

### **CONCLUSION**

15. It is my opinion, based on my experience and expertise, and that of my A.B. Data colleagues, that the Notice Plan described herein effectively reached potential Class Members, delivered plain language notices designed to provided them with the information in an informative and easy to understand manner that is necessary to effectively understand their rights and options.

For these reasons, in my opinion, this notice plan satisfied the requirements of Rule 23 and Due Process.

Executed this 20<sup>th</sup> day of May 2022.

A handwritten signature in black ink, appearing to read "Eric Schachter", is written over a horizontal line.

Eric Schachter  
Vice President, A.B. Data, Ltd.

# EXHIBIT A

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**From:** EpiPen Class Action <updates@EpiPenClassAction.com>  
**Sent:** Monday, March 21, 2022 5:20 PM  
**To:**  
**Subject:** Notice of Class Action Settlement – In re EpiPen Antitrust Litigation

## **EpiPen® (“EpiPen”) Auto-Injector Class Action Settlement with Mylan for \$264 Million**

*In re EPIPEN (EPINEPHRINE INJECTION, USP) MARKETING, SALES PRACTICES AND  
ANTITRUST LITIGATION*

Case No. 2:17-md-02785-DDC-TJJ, MDL 2785 (District of Kansas)

**To register to receive compensation, visit  
[www.EpiPenClassAction.com](http://www.EpiPenClassAction.com)**

### **Who Is Eligible?**

People or entities that paid for some or all of the purchase price of a branded or authorized generic EpiPen® or EpiPen Jr® for the purpose of consumption, and not resale. This includes:

- Yourself;
- Family members; and
- Plan participants or employees.

This lawsuit asserts that Defendants violated certain state antitrust, federal racketeering, and other laws, harming competition and causing class members to overpay for EpiPen products. Defendants deny these allegations. **PLEASE NOTE: This is NOT a recall, safety, or other similar notice. No one is claiming that EpiPen products are unsafe or ineffective.**

**If you purchased or paid for an EpiPen® or EpiPen Jr® Auto-Injector at any time between August 24, 2011 and November 1, 2020, your rights may be affected by this class action settlement with Mylan.**

If you fall into one of these categories, you are a Class Member (unless you are excluded by the class definition, available on the settlement website) and you may:

1. Share in the distribution of settlement funds OR
2. Object. Any objection to the Settlement, the Plan of Allocation, or the fee and expense application must be filed with the Court and sent to and received by counsel for the parties **no later than June 8, 2022:**

Clerk of the Court  
United States District Court, District of Kansas  
500 State Avenue  
Kansas City, KS 66101

Rex A. Sharp  
SHARP LAW, LLP  
4820 West 75th Street  
Prairie Village, KS 66208

Adam K. Levin  
HOGAN LOVELLS US LLP  
555 13th Street, NW  
Washington, DC 20004

If you are a Class Member and did not timely request exclusion prior to January 15, 2021, you will be bound by any judgment in the Action. You may appear in court through an attorney at your expense. The Court will hold a hearing on July 6, 2022 at 9:30 a.m. Central Time to consider whether to approve the Settlement, attorneys' fees, expenses, and service awards.

To share in the distribution of the Net Settlement Fund, Class Members who did not already submit a Proof of Claim form as part of the settlement in this case with the Pfizer Defendants in 2021 must submit a Proof of Claim through the settlement website or by mail. If submitted through the settlement website, the Proof of Claim must be received no later than July 25, 2022. If submitted by mail, the Proof of Claim must be postmarked no later than July 25, 2022. Unless the deadline is extended,

failure to submit your timely Proof of Claim will preclude you from receiving any payment from the Settlement. **If you previously submitted a Proof of Claim in this case in 2021 as part of the settlement with Pfizer, you do not need to submit a second Proof of Claim and your Proof of Claim will apply to both settlements.**

For more information about how to participate in this proposed class action settlement with Mylan, please visit [www.EpiPenClassAction.com](http://www.EpiPenClassAction.com), call 1-877-221-7632, or write to:

EpiPen Settlement  
c/o A.B. Data, Ltd.  
P.O. Box 173113  
Milwaukee, WI 53217

To file a claim, visit [www.EpiPenClassAction.com/FileClaim](http://www.EpiPenClassAction.com/FileClaim).

Please do not reply to this email as it came from an unmonitored inbox.

[Unsubscribe](#)

# EXHIBIT B

Notice Administrator  
c/o A.B. Data, Ltd.  
P.O. Box 173113  
Milwaukee, WI 53217

PRESORTED  
FIRST-CLASS MAIL  
U.S. POSTAGE PAID  
MILWAUKEE, WI  
PERMIT NO. 3780

Important and Time Sensitive Class Action Settlement Notice – Open Immediately

## EpiPen® (“EpiPen”) Auto-Injector Class Action Settlement with Mylan for \$264 Million

*In re EPIPEN (EPINEPHRINE INJECTION, USP) MARKETING, SALES PRACTICES AND ANTITRUST LITIGATION*  
Case No. 2:17-md-02785-DDC-TJJ, MDL 2785 (District of Kansas)

To register to receive compensation, visit [www.EpiPenClassAction.com](http://www.EpiPenClassAction.com)

### Who Is Eligible?

People or entities that paid for some or all of the purchase price of a branded or authorized generic EpiPen® or EpiPen Jr® for the purpose of consumption, and not resale. This includes:

- Yourself;
- Family members; and
- Plan participants or employees.

This lawsuit asserts that Defendants violated certain state antitrust, federal racketeering, and other laws, harming competition and causing class members to overpay for EpiPen products. Defendants deny these allegations. **PLEASE NOTE: This is NOT a recall, safety, or other similar notice. No one is claiming that EpiPen products are unsafe or ineffective.**

**If you purchased or paid for an EpiPen® or EpiPen Jr® Auto-Injector at any time between August 24, 2011 and November 1, 2020, your rights may be affected by this class action settlement with Mylan.**

If you fall into one of these categories, you are a Class Member (unless you are excluded by the class definition, available on the settlement website) and you may:

1. Share in the distribution of settlement funds OR
2. Object. Any objection to the Settlement, the Plan of Allocation, or the fee and expense application must be filed with the Court and sent to and received by counsel for the parties **no later than June 8, 2022**:

Clerk of the Court  
United States District Court  
District of Kansas  
500 State Avenue  
Kansas City, KS 66101

Rex A. Sharp  
SHARP LAW, LLP  
4820 West 75<sup>th</sup> Street  
Prairie Village, KS 66208

Adam K. Levin  
HOGAN LOVELLS US LLP  
555 13<sup>th</sup> Street, NW  
Washington, DC 20004

If you are a Class Member and did not timely request exclusion prior to January 15, 2021, you will be bound by any judgment in the Action. You may appear in court through an attorney at your expense. The Court will hold a hearing on July 6, 2022 at 9:30 a.m. Central Time to consider whether to approve the Settlement, attorneys’ fees, expenses, and service awards.

To share in the distribution of the Net Settlement Fund, Class Members who did not already submit a Proof of Claim form as part of the settlement in this case with the Pfizer Defendants in 2021 must submit a Proof of Claim through the settlement website or by mail. If submitted through the settlement website, the Proof of Claim must be received no later than July 25, 2022. If submitted by mail, the Proof of Claim must be postmarked no later than July 25, 2022. Unless the deadline is extended, failure to submit your timely Proof of Claim will preclude you from receiving any payment from the Settlement. **If you previously submitted a Proof of Claim in this case in 2021 as part of the settlement with Pfizer, you do not need to submit a second Proof of Claim and your Proof of Claim will apply to both settlements.**

For more information about how to participate in this proposed class action settlement with Mylan, please visit [www.EpiPenClassAction.com](http://www.EpiPenClassAction.com), call 1-877-221-7632, or write to:

EpiPen Settlement  
c/o A.B. Data, Ltd.  
P.O. Box 173113  
Milwaukee, WI 53217

To file a claim, visit [www.EpiPenClassAction.com/fileclaim](http://www.EpiPenClassAction.com/fileclaim) or scan this QR code:



# EXHIBIT C

### EpiPen Consumer Ads

**\$264 Million Settlement**  
 If You Purchased an  
**EpiPen®, EpiPen Jr.®**  
 and/or their Authorized Generics



**File Your CLAIM NOW! →**  
 EpiPenClassAction.com

**\$264 Million Settlement**

If You Purchased an  
**EpiPen®, EpiPen Jr.®**  
 and/or their  
 Authorized Generics



**File Your CLAIM NOW! →**  
 EpiPenClassAction.com

**\$264 Million Settlement**  
 If You Purchased an  
**EpiPen®, EpiPen Jr.®**  
 and/or their Authorized Generics



**File Your CLAIM NOW! →**  
 EpiPenClassAction.com

**\$264 Million Settlement**



If You Purchased an  
**EpiPen®, EpiPen Jr.®**  
 and/or their Authorized Generics

EpiPenClassAction.com

**File Your CLAIM NOW! →**

**\$264 Million Settlement**

If You Purchased an  
**EpiPen®, EpiPen Jr.®**  
 and/or their Authorized Generics

**File Your CLAIM NOW! →**  
 EpiPenClassAction.com

### EpiPen Third-Party Payor (TPP) Ads

— **\$264 Million Settlement** —

If You Purchased or Provided Reimbursement for  
**EpiPen®, EpiPen Jr.®**



and/or their Authorized Generics for Members, Employees, Insureds, Participants or Beneficiaries

**File Your CLAIM NOW! →** [EpiPenClassAction.com](http://EpiPenClassAction.com)

**\$264 Million Settlement**



If You Purchased or Provided Reimbursement for  
**EpiPen®, EpiPen Jr.®**  
and/or their Authorized Generics for Members, Employees, Insureds, Participants or Beneficiaries

**File Your CLAIM NOW! →** [EpiPenClassAction.com](http://EpiPenClassAction.com)

**\$264 Million Settlement**

If You Purchased an  
**EpiPen®, EpiPen Jr.®**  
and/or their Authorized Generics

**File Your CLAIM NOW! →**  
[EpiPenClassAction.com](http://EpiPenClassAction.com)

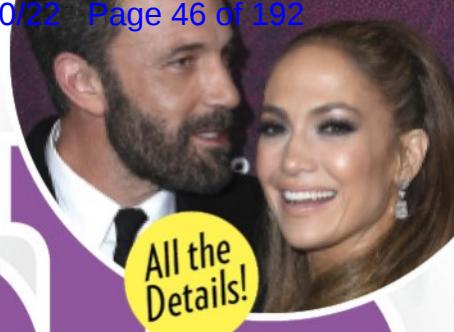
# EXHIBIT D



**TIGER'S AMAZING COMEBACK**

# Inside Ben & J.Lo's 'Perfect' Engagement

THE RARE RING AND HER JOYFUL 'YES'!



All the Details!

# People

*Emotional Interview*

*Viola Davis*

# 'This Is My Survival Story'

IMPOVERISHED, HUNGRY & ABUSED AS A CHILD, THE STAR FORGAVE IN ORDER TO HEAL

April 25, 2022



4+



Vance and Ellis get ready for a fight.

**AMC | 61st Street**

Courtney B. Vance takes on a corrupt police department **DRAMA** "Intense." That's the best word to describe each episode of this powerful crime drama about a college-bound track star, Moses Johnson (Tosin Cole), in the wrong place at the absolute worst time. Franklin Roberts (Vance) steps in as his lawyer even though he's fighting a few battles of his own, including a cancer diagnosis and a promise to his wife, Martha (*King Richard* Oscar nominee Aunjanue Ellis), to retire so she can run for public office. Andrene Ward-Hammond, as Moses's heartbroken but determined mother, Norma, is a standout. (*Sundays at 10 p.m.*)



From left: Tom Pelphrey, Lewis Pullman and Brolin.

**AMAZON | Outer Range**

**DRAMA** Josh Brolin is Royal Abbott, an oft-shirtless cattle rancher determined to protect his land and his family following the disappearance of his daughter-in-law. But *Yellowstone 2.0* this is not. An intriguing supernatural twist is afoot with the appearance of a hippie woman (Imogen Poots) and a mysterious black hole on the edge of the property. (*First two episodes launch April 15*)

**EpiPen® ("EpiPen")  
Auto-Injector Class Action  
Settlement with Mylan  
for \$264 Million**

*In re* EPIPEN (EPINEPHRINE INJECTION, USP) MARKETING, SALES PRACTICES AND ANTITRUST LITIGATION  
Case No. 2:17-md-02785-DDC-TJJ, MDL 2785 (District of Kansas)

To register to receive compensation, visit [www.EpiPenClassAction.com](http://www.EpiPenClassAction.com)

**Who Is Eligible?**

People or entities that paid for some or all of the purchase price of a branded or authorized generic EpiPen® or EpiPen Jr® for the purpose of consumption, and not resale. This includes:

- Yourself
- Family members
- Plan participants or employees

This lawsuit asserts that Defendants violated certain state antitrust, federal racketeering, and other laws, harming competition and causing class members to overpay for EpiPen products. Defendants deny these allegations.

**PLEASE NOTE:** This is NOT a recall, safety, or other similar notice. No one is claiming that EpiPen products are unsafe or ineffective.

If you purchased or paid for an EpiPen® or EpiPen Jr® Auto-Injector at any time between August 24, 2011 and November 1, 2020, your rights may be affected by this class action settlement with Mylan.

If you fall into one of these categories you are a Class Member (unless you are excluded by the class definition, available on the settlement website) and you may:

1. Share in the distribution of settlement funds OR
2. Object. Any objection to the Settlement, the Plan of Allocation, or the fee and expense application must be filed with the Court and sent to and received by counsel for the parties no later than June 8, 2022.

Clerk of the Court  
United States District Court, District of Kansas  
500 State Avenue  
Kansas City, KS 66101

Rex A. Sharp, SHARP LAW, LLP  
4820 West 75<sup>th</sup> Street  
Prairie Village, KS 66208

Adam K. Levin, HOGAN LOVELLS US LLP  
555 13<sup>th</sup> Street, NW  
Washington, DC 20004

If you are a Class Member and did not timely request exclusion prior to January 15, 2021, you will be bound by any judgment in the Action. You may appear in court through an attorney at your expense. The Court will hold a hearing on July 5, 2022, at 9:30 a.m. Central Time to consider whether to approve the Settlement, attorneys' fees, expenses and service awards.

To share in the distribution of the Net Settlement Fund, Class Members who did not already submit a Proof of Claim form as part of the settlement in this case with the Pfizer Defendants in 2021 must submit a Proof of Claim through the settlement website or by mail. If submitted through the settlement website, the Proof of Claim must be received no later than July 25, 2022. If submitted by mail, the Proof of Claim must be postmarked no later than July 25, 2022. Unless the deadline is extended, failure to submit your timely Proof of Claim will preclude you from receiving any payment from the Settlement. If you previously submitted a Proof of Claim in this case in 2021 as part of the settlement with Pfizer, you do not need to submit a second Proof of Claim and your Proof of Claim will apply to both settlements.

For more information about how to participate in this proposed class action settlement with Mylan, please visit [www.EpiPenClassAction.com](http://www.EpiPenClassAction.com), call 1-877-221-7632, or write to: EpiPen Settlement, c/o A.S. Data, Ltd., P.O. Box 178113, Milwaukee, WI 53217

# EXHIBIT E

# Pritzker Levine LLP, Robbins Geller Rudman & Dowd LLP, Sharp Law, LLP, Burns Charest LLP and Keller Rohrback L.L.P., Announce a Class Action Settlement with Mylan for Purchasers of EpiPen®, EpiPen Jr® and/or their Authorized Generics

USA - English ▾

---

NEWS PROVIDED BY

**Pritzker Levine LLP, Robbins Geller  
Rudman & Dowd LLP, Sharp Law, LLP,  
Burns Charest LLP and Keller Rohrback  
L.L.P. →**

Mar 18, 2022, 16:00 ET

---

KANSAS CITY, Kan., March 18, 2022 /PRNewswire/ --

## **EpiPen® ("EpiPen") Auto-Injector Class Action Settlement with Mylan for \$264 Million**

*In re EPIPEN (EPINEPHRINE INJECTION, USP) MARKETING,  
SALES PRACTICES and antitrust Litigation*

Case No. 2:17-md-02785-DDC-TJJ, MDL 2785 (District of Kansas)

**To register to receive compensation, visit [www.EpiPenClassAction.com](http://www.EpiPenClassAction.com)**

### **Who Is Eligible?**

People or entities that paid for some or all of the purchase price of a branded or authorized generic EpiPen® or EpiPen Jr® for the purpose of consumption, and not resale. This includes:

- Yourself
- Family members
- Plan participants or employees

This lawsuit asserts that Defendants violated certain state antitrust, federal racketeering, and other laws, harming competition and causing class members to overpay for EpiPen products. Defendants deny these allegations.

**PLEASE NOTE: This is NOT a recall, safety, or other similar notice. No one is claiming that EpiPen products are unsafe or ineffective.**

**If you purchased or paid for an EpiPen® or EpiPen Jr® Auto-Injector at any time between August 24, 2011 and November 1, 2020, your rights may be affected by this class action settlement with Mylan.**

If you fall into one of these categories you are a Class Member (unless you are excluded by the class definition, available on the settlement website) and you may:

1. Share in the distribution of settlement funds OR
2. Object. Any objection to the Settlement, the Plan of Allocation, or the fee and expense application must be filed with the Court and sent to and received by counsel for the parties **no later than June 8, 2022**:

Clerk of the Court  
United States District Court, District of Kansas  
500 State Avenue  
Kansas City, KS 66101  
Rex A. Sharp  
SHARP LAW, LLP  
4820 West 75th Street  
Prairie Village, KS 66208

Adam K. Levin  
HOGAN LOVELLS US LLP  
555 13th Street, NW  
Washington, DC 20004

If you are a Class Member and did not timely request exclusion prior to January 15, 2021, you will be bound by any judgment in the Action. You may appear in court through an attorney at your expense. The Court will hold a hearing on July 6, 2022, at 9:30 a.m. Central Time to consider whether to approve the Settlement, attorneys' fees, expenses, and service awards.

To share in the distribution of the Net Settlement Fund, Class Members

who did not already submit a Proof of Claim form as part of the settlement in this case with the Pfizer Defendants in 2021 must submit a Proof of Claim through the settlement website or by mail. If submitted through the settlement website, the Proof of Claim must be **received no later than July 25, 2022**. If submitted by mail, the Proof of Claim must be **postmarked no later than July 25, 2022**. Unless the deadline is extended, failure to submit your timely Proof of Claim will preclude you from receiving any payment from the Settlement. **If you previously submitted a Proof of Claim in this case in 2021 as part of the settlement with Pfizer, you do not need to submit a second Proof of Claim and your Proof of Claim will apply to both settlements.**

For more information about how to participate in this proposed class action settlement with Mylan, please visit [www.EpiPenClassAction.com](http://www.EpiPenClassAction.com), call 1-877-221-7632, or write to:

EpiPen Settlement  
c/o A.B. Data, Ltd.  
P.O. Box 173113  
Milwaukee, WI 53217

March 18, 2022

SOURCE Pritzker Levine LLP, Robbins Geller Rudman & Dowd LLP, Sharp Law, LLP, Burns Charest LLP and Keller Rohrback L.L.P.

# EXHIBIT A-2

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |   |
|---|---|---|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785)                                  |
| _____   | ) | DECLARATION OF VISHAL AGGARWAL<br>FILED IN SUPPORT OF SETTLEMENT<br>WITH MYLAN DEFENDANTS |
| This Document Relates To:   | ) |   |
| CONSUMER CLASS CASES.   | ) |   |
| _____   | ) |   |

I, Vishal Aggarwal, declare as follows:

1. I am a resident of the State of Illinois and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On March 21, 2017, I filed a lawsuit in the United States District Court for the Northern District of Illinois concerning the Mylan and Pfizer Defendants’ EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers, Rosemary M. Rivas and Rosanne L. Mah, with Gibbs Law Group LLP concerning discovery, class certification, appeal, summary judgment and settlement. My lawyers were previously at Levi & Korsinsky, LLP.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on May 24, 2018, and aided in the preparation of trial. I worked closely with my lawyers at Gibbs Law Group LLP and Levi & Korsinsky, LLP, and the lawyers at Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 55 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Naperville, Illinois to Kansas City, Missouri to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 04/22/22 day of April, 2022, at Naperville, Illinois.

*Vishal Aggarwal*

---

VISHAL AGGARWAL

# Signature Certificate

Reference number: DKYLZ-ZBHUT-WSU7P-KECPF

## Signer

## Timestamp

## Signature

**Vishal Aggarwal**

Email: skokie5120@yahoo.com

Shared via link

Sent:

18 Apr 2022 22:21:31 UTC

Viewed:

22 Apr 2022 05:08:59 UTC

Signed:

22 Apr 2022 05:09:53 UTC



IP address: 69.47.55.247

Location: Naperville, United States

Document completed by all parties on:

22 Apr 2022 05:09:53 UTC

Page 1 of 1



Signed with PandaDoc

PandaDoc is a document workflow and certified eSignature solution trusted by 30,000+ companies worldwide.



# EXHIBIT A-3



and provided information in response to discovery requests from Defendants, sat for my deposition on June 5, 2018, and aided in the preparation of trial. I worked closely with the lawyers at The Lanier Law Firm and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 45 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Brunswick, Maryland to Washington, D.C. to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 13<sup>th</sup> day of April, 2022, at Brunswick, Maryland.

  
TEIA AMELL

# EXHIBIT A-4

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |   |
|---|---|---|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785)                                |
| _____   | ) | DECLARATION OF TODD BEAULIEU<br>FILED IN SUPPORT OF SETTLEMENT<br>WITH MYLAN DEFENDANTS |
| This Document Relates To:   | ) |   |
| CONSUMER CLASS CASES.   | ) |   |
| _____   | ) |   |

I, TODD BEAULIEU, declare as follows:

1. I am a resident of the State of North Carolina and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On February 3, 2017, I filed a lawsuit in the District of Kansas concerning the Mylan and Pfizer Defendants’ EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at Keller Rohrback L.L.P. concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided

information in response to discovery requests from Defendants, sat for my deposition on August 23, 2018, and aided in the preparation of trial. I worked closely with the lawyers at Keller Rohrback L.L.P. and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 50 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my previous residence in Buzzards Bay, MA to Washington, D.C. to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 24 day of April 2022, at Apex, North Carolina.

  
Todd Beaulieu

# EXHIBIT A-5

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF CARLY BOWERSOCK                           |
| This Document Relates To:   | ) | FILED IN SUPPORT OF SETTLEMENT                           |
|   | ) | WITH MYLAN DEFENDANTS                                    |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, Carly Bowersock, declare as follows:

1. I am a resident of the State of Ohio and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

1. I have actively participated in this case from inception. On April 7, 2017, I filed a lawsuit in the United States District Court for the District of New Jersey concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

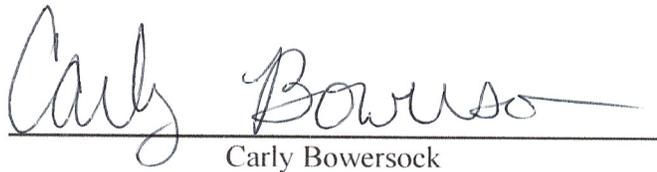
2. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at Goldman Scarlato & Penny concerning discovery, class certification, appeal, summary judgment and settlement.

3. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on June 27, 2018, and aided in the preparation of trial. I worked closely with the lawyers at Goldman Scarlato & Penny and Boies Schiller Flexner LLP to prepare for my deposition.

4. Altogether, I would estimate that I have expended greater than 50 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Dover, Ohio to Columbus, Ohio to comply with the deposition notice.

5. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 15th day of April, 2022, at Dover, Ohio.

  
Carly Bowersock

# EXHIBIT A-6

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|  |  |
|--|--|
| <p>In re EPIPEN (EPINEPHRINE INJECTION,<br/>USP) MARKETING, SALES PRACTICES<br/>AND ANTITRUST LITIGATION</p> <hr/> <p>This Document Relates To:</p> <p style="padding-left: 40px;">CONSUMER CLASS CASES.</p> <hr/> | <p>) Civil Action No. 2:17-md-02785-DDC-TJJ<br/>) (MDL No. 2785)<br/>)<br/>) DECLARATION OF<br/>) RAYMOND BUCHTA, III<br/>) FILED IN SUPPORT OF SETTLEMENT<br/>) WITH MYLAN DEFENDANTS<br/>)<br/>)<br/>)</p> |
|--|--|

I, RAYMOND BUCHTA, III, declare as follows:

1. I am a resident of the State of Delaware and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On January 9, 2017, I filed a lawsuit in the U.S. District Court of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Lanier Law Firm concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on July 11,

2018, and aided in the preparation of trial. I worked closely with the lawyers at The Lanier Law Firm and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 40 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Wilmington, Delaware to Philadelphia, Pennsylvania to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 13 day of April, 2022, at Wilmington, Delaware.

  
\_\_\_\_\_  
RAYMOND BUCHTA, III

# EXHIBIT A-7

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF LAURA CHAPIN                              |
| This Document Relates To:   | ) | FILED IN SUPPORT OF SETTLEMENT                           |
|   | ) | WITH MYLAN DEFENDANTS                                    |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, LAURA CHAPIN, declare as follows:

1. I am a resident of the State of New Hampshire and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On August 23, 2016, I filed a lawsuit in the Eastern District of Michigan concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Miller Law Firm, P.C. concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided

information in response to discovery requests from Defendants, sat for my deposition on August 14, 2018, and aided in the preparation of trial. I worked closely with the lawyers at The Miller Law Firm, P.C. and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 50 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Dover, New Hampshire to Kansas City, Missouri to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 12<sup>th</sup> day of April, 2022, at Manchester, New Hampshire.



---

LAURA CHAPIN

# EXHIBIT A-8



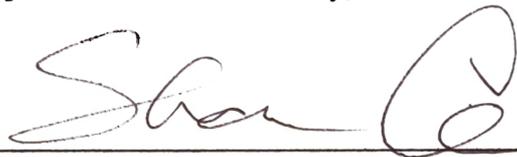
August 8, 2018, and aided in the preparation of trial. I worked closely with the lawyers at Sharp Law LLP, Wright Schimmel LLC, and Boies Schiller Flexner LLP to prepare for my deposition.

4. Altogether, I would estimate that I have expended greater than 65 hours participating in and helping to oversee this litigation on behalf of the Class.

5. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this

26 day of April, 2022, at Grain Valley, Missouri.



---

SHANNON CLEMENTS

# EXHIBIT A-9

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF   |
|   | ) | HEATHER DESTEFANO  |
| This Document Relates To:   | ) | FILED IN SUPPORT OF SETTLEMENT                           |
|   | ) | WITH MYLAN DEFENDANTS                                    |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, HEATHER DESTEFANO, declare as follows:

1. I am a resident of the State of Minnesota and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On January 9, 2017, I filed a lawsuit in the U.S. District Court of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Lanier Law Firm concerning discovery, class certification, appeal, summary judgment and settlement.

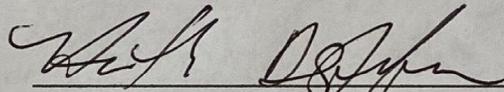
4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on August

9, 2018, and aided in the preparation of trial. I worked closely with the lawyers at The Lanier Law Firm and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 45 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Plymouth, Minnesota to Kansas City, Missouri to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 23 day of April, 2022, at Plymouth, Minnesota.



---

HEATHER DESTEFANO

# EXHIBIT A-10

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785)                               |
| _____   | ) | DECLARATION OF DONNA DVORAK<br>FILED IN SUPPORT OF SETTLEMENT<br>WITH MYLAN DEFENDANTS |
| This Document Relates To:   | ) |  |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, DONNA DVORAK, declare as follows:

1. I am a resident of the State of Virginia and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On October 17, 2017, I filed a lawsuit in the United States District Court for the District of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers, Rosemary M. Rivas and Rosanne L. Mah, with Gibbs Law Group LLP concerning discovery, class certification, appeal, summary judgment and settlement. My lawyers were previously at Levi & Korsinsky, LLP.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on June 6, 2018, and aided in the preparation of trial. I worked closely with my lawyers at Gibbs Law Group LLP and Levi & Korsinsky, LLP, and the lawyers at Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 100 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my previous home in Fairfax, Virginia to Washington, D.C. to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this  
19 day of April, 2022, at Chantilly, Virginia.

*Donna Dvorak*

---

DONNA DVORAK

# Signature Certificate

Reference number: ZHCQB-ZCCPC-DSDOI-NISJH

**Signer**

**Timestamp**

**Signature**

**Donna Dvorak**

Email: summersmommy@gmail.com

Shared via link

Sent:

18 Apr 2022 22:08:37 UTC

Viewed:

19 Apr 2022 11:05:27 UTC

Signed:

19 Apr 2022 11:05:57 UTC



IP address: 108.31.172.16

Location: Fairfax, United States

Document completed by all parties on:

19 Apr 2022 11:05:57 UTC

Page 1 of 1



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# EXHIBIT A-11

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785)       |
| _____   | ) | DECLARATION OF KENNETH EVANS<br>FILED IN SUPPORT OF SETTLEMENT |
| This Document Relates To:   | ) | WITH MYLAN DEFENDANTS  |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, Kenneth Evans, declare as follows:

1. I am a resident of the State of Alabama and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On July 21, 2017, I filed a lawsuit in the Southern District of Alabama concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at Beasley, Allen, Crow, Methvin, Portis & Miles, P.C., concerning discovery, class certification, appeal, summary judgment and settlement.

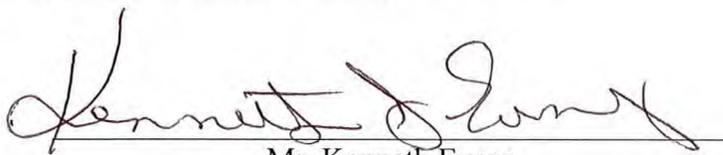
4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided

information in response to discovery requests from Defendants, sat for my deposition on May 25, 2018, and aided in the preparation of trial. I worked closely with the lawyers at Beasley, Allen, Crow, Methvin, Portis & Miles, P.C., and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 100 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Mobile, Alabama to Kansas City to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 16 day of April, 2022, at 2955 PARK PL, DR N MOBILE AL 36608

  
Mr. Kenneth Evans

# EXHIBIT A-12

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785)                               |
| _____   | ) | DECLARATION OF MICHAEL GILL<br>FILED IN SUPPORT OF SETTLEMENT<br>WITH MYLAN DEFENDANTS |
| This Document Relates To:   | ) |  |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, MICHAEL GILL, declare as follows:

1. I am a resident of the State of New York and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On October 17, 2017, I filed a lawsuit in the United States District Court for the District of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers, Rosemary M. Rivas and Rosanne L. Mah, with Gibbs Law Group LLP concerning discovery, class certification, appeal, summary judgment and settlement. My lawyers were previously at Levi & Korsinsky, LLP.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on May 15, 2018, and aided in the preparation of trial. I worked closely with my lawyers at Gibbs Law Group LLP and Levi & Korsinsky, LLP, and the lawyers at Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 60 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Syracuse, New York to Kansas City, Missouri to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this  
18 day of April, 2022, at Syracuse, New York.

Michael Gill

---

MICHAEL GILL

# Signature Certificate

Reference number: 6CQ5G-4BJXX-EBN3T-V3NOU

| Signer   | Timestamp | Signature   |
|--|-----------|---|
| <b>Michael Gill</b><br>Email: mikegill4@gmail.com<br><br>Shared via link<br><br>Sent: 19 Apr 2022 01:18:06 UTC<br>Viewed: 19 Apr 2022 01:20:31 UTC<br>Signed: 19 Apr 2022 01:21:39 UTC |           | <br><br>IP address: 74.111.57.138<br>Location: Syracuse, United States |

Document completed by all parties on:  
19 Apr 2022 01:21:39 UTC

Page 1 of 1



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# EXHIBIT A-13

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF SUZANNE<br>HARWOOD FILED IN SUPPORT OF    |
| This Document Relates To:   | ) | SETTLEMENT WITH MYLAN                                    |
| CONSUMER CLASS CASES.   | ) | DEFENDANTS   |
| _____   | ) |  |

I, Suzanne Harwood, declare as follows:

1. I am a resident of the State of New York and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On August 31, 2016, I filed a lawsuit in the Western District of Pennsylvania concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at Squitieri & Fearon, PPL concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided

information in response to discovery requests from Defendants, sat for my deposition on August 3, 2018, and aided in the preparation of trial. I worked closely with the lawyers a Squitieri & Fearon, LLP and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 50 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Dobbs Ferry, New York to Armonk, New York to prepare for my deposition and to travel to New York City for my deposition.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 26 day of April 2022, at Dobbs Ferry, New York.

  
SUZANNE HARWOOD

# EXHIBIT A-14

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF ELIZABETH<br>HUELSMAN FILED IN SUPPORT OF |
| This Document Relates To:   | ) | SETTLEMENT WITH MYLAN                                    |
| CONSUMER CLASS CASES.   | ) | DEFENDANTS   |
| _____   | ) |  |

I, ELIZABETH HUELSMAN, declare as follows:

1. I am a resident of the State of California and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On February 3, 2017, I filed a lawsuit in the District of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at Keller Rohrback L.L.P. concerning discovery, class certification, appeal, summary judgment and settlement.

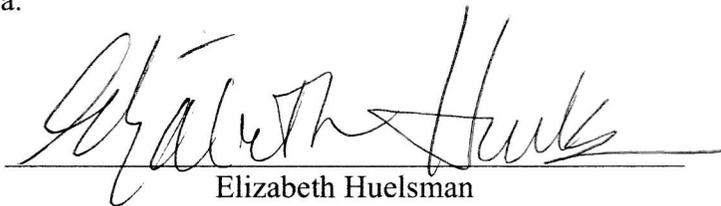
4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided

information in response to discovery requests from Defendants, sat for my deposition on October 9, 2018, and aided in the preparation of trial. I worked closely with the lawyers at Keller Rohrback L.L.P. and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 50 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Los Angeles, CA to Oakland, CA to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 21 day of April 2022, at Los Angeles, California.

  
Elizabeth Huelsman

# EXHIBIT A-15

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |   |
|---|---|---|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785)                                |
| _____   | ) | DECLARATION OF LESLEY HUSTON<br>FILED IN SUPPORT OF SETTLEMENT<br>WITH MYLAN DEFENDANTS |
| This Document Relates To:   | ) |   |
| CONSUMER CLASS CASES.   | ) |   |
| _____   | ) |   |

I, LESLEY HUSTON, declare as follows:

1. I am a resident of the State of Kansas and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.
2. I have actively participated in this case from inception. On December 2, 2016, I filed a lawsuit in the District of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.
3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at Wright Schimmel LLC and Sharp Law LLP concerning discovery, class certification, appeal, summary judgment and settlement.
4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for

and provided information in response to discovery requests from Defendants, sat for my deposition on August 10, 2018, and aided in the preparation of trial. I worked closely with the lawyers at Wright Schimmel LLC and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 85 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Lecompton, Kansas to Kansas City to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this

  
\_\_\_\_ day of April, 2022, at Lecompton, Kansas.

  
\_\_\_\_\_  
LESLEY HUSTON

# EXHIBIT A-16

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF   |
| This Document Relates To:   | ) | LONDON IPSON   |
| CONSUMER CLASS CASES.   | ) | FILED IN SUPPORT OF SETTLEMENT<br>WITH MYLAN DEFENDANTS  |
| _____   | ) |  |

I, LONDON IPSON, declare as follows:

1. I am a resident of the State of Utah and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On October 17, 2017, I filed a lawsuit in the U.S. District Court of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Lanier Law Firm concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on August

7, 2018, and aided in the preparation of trial. I worked closely with the lawyers at The Lanier Law Firm and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 45 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in West Jordan, Utah to Kansas City, Missouri to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 13 day of April, 2022, at West Jordan, Utah.



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LANDON IPSON

# EXHIBIT A-17

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF ANASTASIA<br>JOHNSTON FILED IN SUPPORT OF |
| This Document Relates To:   | ) | SETTLEMENT WITH MYLAN                                    |
| CONSUMER CLASS CASES.   | ) | DEFENDANTS   |
| _____   | ) |  |

I, ANASTASIA JOHNSTON, declare as follows:

1. I am a resident of the State of Michigan and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On August 23, 2016, I filed a lawsuit in the Eastern District of Michigan concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Miller Law Firm, P.C. concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided

information in response to discovery requests from Defendants, sat for my deposition on June 22, 2018, and aided in the preparation of trial. I worked closely with the lawyers at The Miller Law Firm, P.C. and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 50 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Auburn Hills, Michigan to Kansas City, Missouri to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 14<sup>th</sup> day of April, 2022, at Auburn Hills, Michigan.

  
ANASTASIA JOHNSTON

# EXHIBIT A-18

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF   |
| This Document Relates To:   | ) | MARK KOVARIK   |
|   | ) | FILED IN SUPPORT OF SETTLEMENT                           |
| CONSUMER CLASS CASES.   | ) | WITH MYLAN DEFENDANTS                                    |
| _____   | ) |  |

I, MARK KOVARIK, declare as follows:

1. I am a resident of the State of Nebraska and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On February 3, 2017, I filed a lawsuit in the U.S. District Court of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Lanier Law Firm concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on July 27,

2018, and aided in the preparation of trial. I worked closely with the lawyers at The Lanier Law Firm and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 55 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Nebraska to Denver, Colorado to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 14<sup>th</sup> day of April, 2022, at Gering, Nebraska.



MARK KOVARIK

# EXHIBIT A-19

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF<br>MEREDITH KRIMMEL                       |
| This Document Relates To:   | ) | FILED IN SUPPORT OF SETTLEMENT<br>WITH MYLAN DEFENDANTS  |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, MEREDITH KRIMMEL, declare as follows:

1. I am a resident of the State of Texas and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On February 3, 2017, I filed a lawsuit in the U.S. District Court of Kansas concerning the Mylan and Pfizer Defendants’ EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Lanier Law Firm concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on May 23,

2018, and aided in the preparation of trial. I worked closely with the lawyers at The Lanier Law Firm and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 57 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Houston, Texas to Kansas City, Missouri to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 25th day of April, 2022, at Houston, Texas.



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MEREDITH KRIMMEL

# EXHIBIT A-20

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785)       |
| _____   | ) | DECLARATION OF MARIO BULDING ON<br>BEHALF OF LOCAL 282 WELFARE |
| This Document Relates To:   | ) | TRUST FUND FILED IN SUPPORT OF                                 |
| ALL ACTIONS.  | ) | SETTLEMENT WITH THE MYLAN                                      |
| _____   | ) | DEFENDANTS   |

I, MARIO BULDING, declare as follows:

1. I am the Fund Administrator for the Local 282 Welfare Trust Fund (“Local 282”), a court-appointed Class Representative in the above-captioned certified class action. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with the Mylan Defendants and request that the Court approve the proposed settlement on behalf of the Class. I also submit this declaration in support of Local 282’s request for a service award associated with the time spent by myself and other Local 282 staff, and counsel monitoring and participating in the litigation since entering into the settlement with Pfizer and in preparation for trial. I have personal knowledge of the statements herein, and, if called as a witness, could and would testify competently thereto.

2. Local 282 has actively participated in this case from inception. On August 14, 2017, Local 282 filed a lawsuit in the District of New Jersey, alleging violations of the Sherman Antitrust Act and the Clayton Antitrust Act. Local 282’s District of New Jersey action was thereafter transferred by the Judicial Panel on Multidistrict Litigation to the District of Kansas for coordinated or consolidated pretrial proceedings. On October 17, 2017, Local 282 and the other named plaintiffs filed a Consolidated Class Action Complaint concerning the Mylan and Pfizer Defendants’ EpiPen pricing scheme, and Local 282 is a named Plaintiff in that complaint. ECF No. 60.

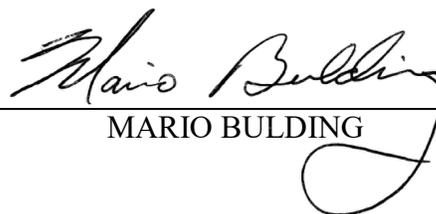
3. Since becoming involved, Local 282 has been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence, conference calls, and in-person meetings with Local 282’s retained counsel at Robbins Geller Rudman & Dowd LLP (“Robbins Geller”) concerning the status and direction of the case, the investigation and filing of the complaints, discovery, class certification, appeal, summary judgment, trial preparation and settlement.

4. Specifically, as part of my role as the Fund Administrator for a named plaintiff and Class Representative in this case, and in addition to the above, I or Local 282's personnel aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, and sat for a full seven-hour deposition on August 8, 2018. Local 282 worked closely with co-lead counsel Robbins Geller throughout the litigation and during discovery, and also worked with other co-lead counsel, including the lawyers at Boies Schiller Flexner LLP, throughout discovery and to prepare for my deposition.

5. Altogether, I and other Local 282 personnel, including Local 282's general counsel, expended greater than 210 hours participating in and helping to oversee this litigation on behalf of the Class, including reviewing major pleadings and filings in this case, conferences and correspondence with counsel, searching for, collecting, and producing documents, and preparing for trial. This work is largely described in the Declaration of Mario Bulding on Behalf of Local 282 Welfare Trust Fund Filed in Support of Settlement with Pfizer Defendants, dated August 19, 2021. ECF No. 2435-2. Since entering into the settlement with Pfizer, Local 282 expended approximately 10 additional hours participating in this litigation and preparing for trial in this litigation.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 28th day of April, 2022, at Lake Success, New York.

  
MARIO BULDING

# EXHIBIT A-21

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF   |
| This Document Relates To:   | ) | STACEE MALIN (SVITES)                                    |
| CONSUMER CLASS CASES.   | ) | FILED IN SUPPORT OF SETTLEMENT<br>WITH MYLAN DEFENDANTS  |
| _____   | ) |  |

I, STACEE MALIN, formerly Stacee Svites, declare as follows:

1. I am a resident of the State of Colorado and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On February 3, 2017, I filed a lawsuit in the U.S. District Court of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Lanier Law Firm concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on August

10, 2018, and aided in the preparation of trial. I worked closely with the lawyers at The Lanier Law Firm and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 155 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Denver, Colorado to Kansas City, MO to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 12 day of April, 2022, at Cape Coral, Florida.



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STACEE MALIN  
(formerly Stacey Svites)

# EXHIBIT A-22

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF NIKITIA MARSHALL                          |
| This Document Relates To:   | ) | FILED IN SUPPORT OF SETTLEMENT                           |
|   | ) | WITH MYLAN DEFENDANTS                                    |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, NIKITIA MARSHALL, declare as follows:

1. I am a resident of the State of California and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On February 3, 2017, I filed a lawsuit in the District of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at Burns Charest concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided

information in response to discovery requests from Defendants, sat for my deposition on October 8, 2018, and aided in the preparation of trial. I worked closely with the lawyers at Burns Charest and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 110 hours participating in and helping to oversee this litigation on behalf of the Class.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this \_\_\_ day of April, 2022, at 26, 4:54pm.



Nikitia Marshall

# EXHIBIT A-23

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF ANGIE                                     |
| This Document Relates To:   | ) | NORDSTRUM FILED IN SUPPORT OF                            |
| CONSUMER CLASS CASES.   | ) | SETTLEMENT WITH MYLAN                                    |
| _____   | ) | DEFENDANTS   |
|   | ) |  |

I, Angie Nordstrum, declare as follows:

1. I am a resident of the State of Colorado and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On April 7, 2017 I filed a lawsuit in the United States District Court for the District of New Jersey concerning the Mylan and Pfizer Defendants’ EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at Goldman Scarlato & Penny concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for

and provided information in response to discovery requests from Defendants, sat for my deposition on May 22, 2018, and aided in the preparation of trial. I worked closely with the lawyers at Goldman Scarlato & Penny and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 60 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Erie, Colorado to Kansas City, Missouri to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 7 day of April, 2022, at Erie, Colorado.



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Angie Nordstrum

# EXHIBIT A-24

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF   |
|   | ) | SONYA NORTH  |
| This Document Relates To:   | ) | FILED IN SUPPORT OF SETTLEMENT                           |
|   | ) | WITH MYLAN DEFENDANTS                                    |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, SONYA NORTH, declare as follows:

1. I am a resident of the State of Ohio and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On January 9, 2017, I filed a lawsuit in the U.S. District Court of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Lanier Law Firm concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on June 26,

2018, and aided in the preparation of trial. I worked closely with the lawyers at The Lanier Law Firm and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 45 hours participating in and helping to oversee this litigation on behalf of the Class.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 13 day of April, 2022, at 8:59pm, Ohio.

  
SONYA NORTH

# EXHIBIT A-25

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF<br>CHRISTOPHER RIPPY                      |
| This Document Relates To:   | ) | FILED IN SUPPORT OF SETTLEMENT<br>WITH MYLAN DEFENDANTS  |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, CHRISTOPHER RIPPY, declare as follows:

1. I am a resident of the State of Arkansas and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On January 9, 2017, I filed a lawsuit in the U.S. District Court of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Lanier Law Firm concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on June 20,

2018, and aided in the preparation of trial. I worked closely with the lawyers at The Lanier Law Firm and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 55 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Conway, Arkansas to Kansas City, Missouri to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 14<sup>th</sup> day of April, 2022, at Conway, Arkansas.



CHRISTOPHER RIPPY

# EXHIBIT A-26

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF   |
|   | ) | LEE SELTZER  |
| This Document Relates To:   | ) | FILED IN SUPPORT OF SETTLEMENT                           |
|   | ) | WITH MYLAN DEFENDANTS                                    |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, LEE SELTZER, declare as follows:

1. I am a resident of the State of Florida and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On January 9, 2017, I filed a lawsuit in the U.S. District Court of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Lanier Law Firm concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on July 17,

2018, and aided in the preparation of trial. I worked closely with the lawyers at The Lanier Law Firm and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 85 hours participating in and helping to oversee this litigation on behalf of the Class.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 13th day of April, 2022, at Orlando, Florida.

  
\_\_\_\_\_  
LEE SELTZER

# EXHIBIT A-27

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF<br>ROSETTA SERRANO                        |
| This Document Relates To:   | ) | FILED IN SUPPORT OF SETTLEMENT                           |
| CONSUMER CLASS CASES.   | ) | WITH MYLAN DEFENDANTS                                    |
| _____   | ) |  |

I, ROSETTA SERRANO, declare as follows:

1. I am a resident of the State of Oklahoma and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On October 26, 2016, I filed a lawsuit in the U.S. District Court of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Lanier Law Firm concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on

July 12, 2018, and aided in the preparation of trial. I worked closely with the lawyers at The Lanier Law Firm and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 100 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Turpin, Oklahoma to Kansas City, MO to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 23rd day of April, 2022, at Turpin, Oklahoma.

  
\_\_\_\_\_  
ROSETTA SERRANO

# EXHIBIT A-28

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF   |
|   | ) | JOY SHEPARD  |
| This Document Relates To:   | ) | FILED IN SUPPORT OF SETTLEMENT                           |
|   | ) | WITH MYLAN DEFENDANTS                                    |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, JOY SHEPARD, declare as follows:

1. I am a resident of the State of Kentucky and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

1. I have actively participated in this case from inception. On January 9, 2017, I filed a lawsuit in the U.S. District Court of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

2. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Lanier Law Firm concerning discovery, class certification, appeal, summary judgment and settlement.

3. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition

on July 24, 2018, and aided in the preparation of trial. I worked closely with the lawyers at The Lanier Law Firm and Boies Schiller Flexner LLP to prepare for my deposition.

4. Altogether, I would estimate that I have expended greater than 45 hours participating in and helping to oversee this litigation on behalf of the Class.

5. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 13 day of April, 2022, at Lexington, Kentucky.

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JOY SHEPARD

# EXHIBIT A-29

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF   |
|   | ) | KENNETH STEINHAUSER                                      |
| This Document Relates To:   | ) | FILED IN SUPPORT OF SETTLEMENT                           |
|   | ) | WITH MYLAN DEFENDANTS                                    |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, KENNETH STEINHAUSER, declare as follows:

1. I am the class representative for the state of Utah in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On January 9, 2017, I filed a lawsuit in the U.S. District Court of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Lanier Law Firm concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on August

9, 2018, and aided in the preparation of trial. I worked closely with the lawyers at The Lanier Law Firm and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 55 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in St. George, Utah to New York, New York to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 14<sup>th</sup> day of April, 2022, at Orlando, Florida.



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KENNETH STEINHAUSER

# EXHIBIT A-30

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785)                               |
| _____   | ) | DECLARATION OF APRIL SUMNER<br>FILED IN SUPPORT OF SETTLEMENT<br>WITH MYLAN DEFENDANTS |
| This Document Relates To:   | ) |  |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, APRIL SUMNER, declare as follows:

1. I am a resident of the State of Tennessee and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On October 17, 2017, I filed a lawsuit in the United States District Court District of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers, Rosemary M. Rivas and Rosanne L. Mah, with Gibbs Law Group LLP concerning discovery, class certification, appeal, summary judgment and settlement. My lawyers were previously at Levi & Korsinsky, LLP.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on June 19, 2018, and aided in the preparation of trial. I worked closely with my lawyers at Gibbs Law Group LLP and Levi & Korsinsky, LLP, and the lawyers at Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 60 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Soddy Daisy, Tennessee to Kansas City, Missouri to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 4-19-22 day of April, 2022, at Soddy Daisy, Tennessee.

*April Sumner*

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APRIL SUMNER

# Signature Certificate

Reference number: VEZEZ-NM4WN-UONW5-NTAA4

**Signer**

**Timestamp**

**Signature**

**April Sumner**

Email: sumnerfamilytn@gmail.com

Shared via link

Sent:

18 Apr 2022 21:50:57 UTC

Viewed:

19 Apr 2022 12:47:55 UTC

Signed:

19 Apr 2022 12:49:30 UTC



IP address: 174.212.167.224

Document completed by all parties on:

19 Apr 2022 12:49:30 UTC

Page 1 of 1



**Signed with PandaDoc**

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# EXHIBIT A-31

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF   |
|   | ) | ANNETTE SUTORIK  |
| This Document Relates To:   | ) | FILED IN SUPPORT OF SETTLEMENT                           |
|   | ) | WITH MYLAN DEFENDANTS                                    |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, ANNETTE SUTORIK, declare as follows:

1. I am a resident of the State of Michigan and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On February 3, 2017, I filed a lawsuit in the U.S. District Court of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Lanier Law Firm concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on July 10,

2018, and aided in the preparation of trial. I worked closely with the lawyers at The Lanier Law Firm and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 55 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Frankenmuth, Michigan to Kansas City, Missouri to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 14 day of April, 2022, at Frankenmuth, Michigan.

  
ANNETTE SUTORIK

# EXHIBIT A-32

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF   |
|   | ) | LINDA WAGNER   |
| This Document Relates To:   | ) | FILED IN SUPPORT OF SETTLEMENT                           |
|   | ) | WITH MYLAN DEFENDANTS                                    |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, LINDA WAGNER, declare as follows:

1. I am a resident of the State of Hawaii and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On February 3, 2017, I filed a lawsuit in the U.S. District Court of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Lanier Law Firm concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on October

24, 2018, and aided in the preparation of trial. I worked closely with the lawyers at The Lanier Law Firm and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 54 hours participating in and helping to oversee this litigation on behalf of the Class.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this

14 day of April, 2022, at Volcano Hawaii.

  
LINDA WAGNER

# EXHIBIT A-33

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |   |
|---|---|---|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785)                                  |
| _____   | ) | DECLARATION OF JENNIFER WALTON<br>FILED IN SUPPORT OF SETTLEMENT<br>WITH MYLAN DEFENDANTS |
| This Document Relates To:   | ) |   |
| CONSUMER CLASS CASES.   | ) |   |
| _____   | ) |   |

I, JENNIFER WALTON, declare as follows:

1. I am a resident of the State of South Carolina and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

1. I have actively participated in this case from inception. On October 17, 2017, I filed a lawsuit in the District of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

2. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Miller Law Firm, P.C. concerning discovery, class certification, appeal, summary judgment and settlement.

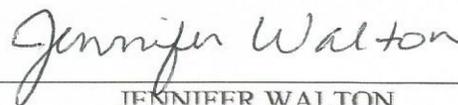
3. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and

provided information in response to discovery requests from Defendants, sat for my deposition on June 21, 2018, and aided in the preparation of trial. I worked closely with the lawyers at The Miller Law Firm, P.C. and Boies Schiller Flexner LLP to prepare for my deposition.

4. Altogether, I would estimate that I have expended greater than 50 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Lexington, South Carolina to Kansas City, Missouri to comply with the deposition notice.

5. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 20<sup>th</sup> day of April, 2022, at Lexington, South Carolina.

  
JENNIFER WALTON

# EXHIBIT A-34

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF   |
|   | ) | DONNA WEMPLE   |
| This Document Relates To:   | ) | FILED IN SUPPORT OF SETTLEMENT                           |
|   | ) | WITH MYLAN DEFENDANTS                                    |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, DONNA WEMPLE, declare as follows:

1. I am a resident of the State of New York and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On February 3, 2017, I filed a lawsuit in the U.S. District Court of Kansas concerning the Mylan and Pfizer Defendants' EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Lanier Law Firm concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on August

10, 2018, and aided in the preparation of trial. I worked closely with the lawyers at The Lanier Law Firm and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 45 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Mt. Vernon, New York to New York, New York to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 14 day of April, 2022, at Mt. Vernon, New York.



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DONNA WEMPLE

# EXHIBIT A-35

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785) |
| _____   | ) | DECLARATION OF<br>LORRAINE WIGHT                         |
| This Document Relates To:   | ) | FILED IN SUPPORT OF SETTLEMENT<br>WITH MYLAN DEFENDANTS  |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, LORRAINE WIGHT, declare as follows:

1. I am a resident of the State of Maine and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On January 9, 2017, I filed a lawsuit in the U.S. District Court of Kansas concerning the Mylan and Pfizer Defendants’ EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Lanier Law Firm concerning discovery, class certification, appeal, summary judgment and settlement.

4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided information in response to discovery requests from Defendants, sat for my deposition on August

14, 2018, and aided in the preparation of trial. I worked closely with the lawyers at The Lanier Law Firm and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 50 hours participating in and helping to oversee this litigation on behalf of the Class.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 13 day of April, 2022, at Lisbon, Maine.

  
LORRAINE WIGHT

# EXHIBIT A-36

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785)   |
| _____   | ) | DECLARATION OF ELIZABETH<br>WILLIAMSON FILED IN SUPPORT OF |
| This Document Relates To:   | ) | SETTLEMENT WITH MYLAN                                      |
| CONSUMER CLASS CASES.   | ) | DEFENDANTS   |
| _____   | ) |  |

I, ELIZABETH WILLIAMSON, declare as follows:

1. I am a resident of the State of Mississippi and am one of the Class Representatives in the above-referenced case. I respectfully submit this Declaration in support of the proposed \$264,000,000 settlement with Mylan and request that the Court approve the proposed settlement on behalf of the Class.

2. I have actively participated in this case from inception. On October 17, 2017, I filed a lawsuit in the District of Kansas concerning the Mylan and Pfizer Defendants’ EpiPen pricing scheme and I am a named Plaintiff in the consolidated class action complaint.

3. Since becoming involved, I have been kept fully informed of case developments and procedural matters over the course of the case, including regular correspondence with my lawyers at The Miller Law Firm, P.C. concerning discovery, class certification, appeal, summary judgment and settlement.

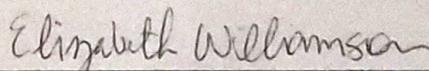
4. Specifically, as part of my role as a named plaintiff and Class Representative in this case, and in addition to the above, I aided in the creation of pleadings, searched for and provided

information in response to discovery requests from Defendants, sat for my deposition on June 13, 2018, and aided in the preparation of trial. I worked closely with the lawyers at The Miller Law Firm, P.C. and Boies Schiller Flexner LLP to prepare for my deposition.

5. Altogether, I would estimate that I have expended greater than 100 hours participating in and helping to oversee this litigation on behalf of the Class. This work required me to travel from my home in Silver Creek, Mississippi to Madison, Mississippi to comply with the deposition notice.

6. I have discussed with counsel and evaluated the risks of continuing the case. I have authorized counsel to settle this matter for \$264,000,000 for Class members. I believe this Settlement is fair and reasonable and is in the best interest of the Class members.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 14<sup>th</sup> day of April, 2022, at Silver Creek, Mississippi.



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ELIZABETH WILLIAMSON

# EXHIBIT A-37

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |   |
|---|---|---|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785)          |
| _____   | ) | DECLARATION OF STUART A.<br>DAVIDSON FILED ON BEHALF OF           |
| This Document Relates To:   | ) | ROBBINS GELLER RUDMAN & DOWD<br>LLP IN SUPPORT OF APPLICATION FOR |
| CONSUMER CLASS CASES.   | ) | AWARD OF EXPENSES   |
| _____   | ) |   |

I, STUART A. DAVIDSON, declare as follows:

1. I am a Partner in the firm of Robbins Geller Rudman & Dowd LLP (“Robbins Geller” or the “Firm”). I am submitting this declaration in support of the Co-Lead Class Counsel’s application for an award of expenses/charges (“expenses”) in connection with the above-entitled action.

2. This Firm is counsel of record for certain Class Plaintiffs in this action, and the Firm’s founder and Managing Partner of the Firm’s Boca Raton, Florida office, Paul J. Geller, serves as Court-appointed Co-Lead Class Counsel.

3. The information in this declaration regarding the Firm’s expenses is based on my personal knowledge and the expense reports kept by the Firm in the ordinary course of business.

4. The Firm seeks an award of \$347,736.75 in expenses and charges in connection with the prosecution of the action from July 1, 2021 through April 30, 2022. Those expenses and charges are summarized by category in the attached **Exhibit A**.

5. My Firm also maintained a litigation expense fund for certain common expenses in connection with the prosecution of this case. The category entitled “Assessment Fees” in certain plaintiffs’ counsel’s expense declarations represents contributions to this expense fund. A

breakdown of the contributions to and payments made from the litigation expense fund is attached as **Exhibit B**.

6. A Firm resume was previously submitted to the Court.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 16th day of May, 2022, at Boca Raton, Florida.

*/s/Stuart A. Davidson*  
\_\_\_\_\_  
STUART A. DAVIDSON

# **EXHIBIT A**

**EXHIBIT A**

*In re Epipen (Epinephrine Injection, USP) Marketing, Sales Practices and Antitrust Litigation,*  
No. 2:17-md-02785-DDC-TJJ (MDL No. 2785)

ROBBINS GELLER RUDMAN & DOWD LLP  
July 1, 2021 through April 30, 2022

| <b>CATEGORY</b>                               | <b>AMOUNT</b>        |
|---|----------------------|
| Electronic Research (Lexis/Westlaw/PACER)     | \$ 5,863.13          |
| Assessment Fees                               | 154,783.86           |
| Federal Express/Overnight Delivery/Messengers | 135.16               |
| Photocopies - In House                        | 26.40                |
| Mileage                                       | 73.28                |
| Air Travel                                    | 5,217.62             |
| Meals   | 291.34               |
| Hotels  | 3,457.26             |
| Postage                                       | 65.21                |
| Telephone/Fax                                 | 390.05               |
| Transportation                                | 1,197.75             |
| Miscellaneous (eDiscovery Database Hosting)   | 176,235.69           |
| <b>TOTAL</b>                                  | <b>\$ 347,736.75</b> |

# **EXHIBIT B**

## EXHIBIT B

## Epipen Antitrust Litigation Expense Fund

TOTALS AS OF JUNE 30, 2021

\$6,784,214.65

-\$6,428,462.77

\$355,751.88

|          |  |      |            |              |              |
|----------|--|------|------------|--------------|--------------|
| 07/06/21 | Greylock McKinnon Associates             | 1226 |            | (5,778.00)   | 349,973.88   |
| 07/06/21 | Legal Economics                          | WIRE |            | (13,231.25)  | 336,742.63   |
| 07/12/21 | Greylock McKinnon Associates             | 1227 |            | (25,274.00)  | 311,468.63   |
| 07/21/21 | Strategic Resolutions LLC                | 1228 |            | (5,450.00)   | 306,018.63   |
| 07/23/21 | Austin Law & Economics Consultants, Inc. | 1229 |            | (12,650.00)  | 293,368.63   |
| 08/05/21 | Angela Delise                            | 1230 |            | (4,180.00)   | 289,188.63   |
| 08/13/21 | Andrew W. Torrance                       | 1231 |            | (2,140.20)   | 287,048.43   |
| 08/17/21 | Greylock McKinnon Associates             | 1232 |            | (37,875.50)  | 249,172.93   |
| 09/10/21 | Steven S. Gensler                        | 1233 |            | (15,125.00)  | 234,047.93   |
| 09/16/21 | Sound Jury Consulting                    | 1234 |            | (800.00)     | 233,247.93   |
| 10/04/21 | Austin Law & Economics Consultants, Inc. | 1235 |            | (2,200.00)   | 231,047.93   |
| 10/04/21 | Andrew W. Torrance                       | 1236 |            | (369.00)     | 230,678.93   |
| 10/08/21 | Andrew W. Torrance                       | 1237 |            | (89,593.20)  | 141,085.73   |
| 10/28/21 | Greylock McKinnon Associates             | 1239 |            | (76,619.00)  | 64,466.73    |
| 11/03/21 | Delphi Litigation Strategies LLC         | 1240 |            | (35,000.00)  | 29,466.73    |
| 11/10/21 | Lexitas                                  | 1241 |            | (710.00)     | 28,756.73    |
| 11/18/21 | Greylock McKinnon Associates             | 1242 |            | (2,918.00)   | 25,838.73    |
| 12/02/21 | Legal Economics                          | WIRE |            | (1,042.50)   | 24,796.23    |
| 12/02/21 | Veritext                                 | 1243 |            | (1,465.00)   | 23,331.23    |
| 12/06/21 | The Lanier Law Firm P.C.                 |      | 150,000.00 |              | 173,331.23   |
| 12/06/21 | Pritzker Levine LLP                      |      | 300,000.00 |              | 473,331.23   |
| 12/07/21 | Delphi Litigation Strategies LLC         | 1244 |            | (35,000.00)  | 438,331.23   |
| 12/07/21 | Sharp Law LLP                            |      | 300,000.00 |              | 738,331.23   |
| 12/09/21 | Robbins Geller Rudman & Dowd LLP         |      | 300,000.00 |              | 1,038,331.23 |
| 12/10/21 | Keller Rohrbach LLP                      |      | 300,000.00 |              | 1,338,331.23 |
| 12/13/21 | ProPharma Group LLC                      | 1245 |            | (975.00)     | 1,337,356.23 |
| 12/21/21 | Legal Media, Inc.                        | 1246 |            | (2,898.75)   | 1,334,457.48 |
| 12/21/21 | Delphi Litigation Strategies LLC         | 1247 |            | (61,881.04)  | 1,272,576.44 |
| 12/23/21 | Legal Economics                          | WIRE |            | (625.00)     | 1,271,951.44 |
| 12/27/21 | Andrew W. Torrance                       | 1248 |            | (12,250.80)  | 1,259,700.64 |
| 12/29/21 | Boies Schiller & Flexner LLP             |      | 150,000.00 |              | 1,409,700.64 |
| 01/03/22 | Veritext                                 | 1249 |            | (1,785.00)   | 1,407,915.64 |
| 01/05/22 | Andrew W. Torrance                       | 1250 |            | (61,770.60)  | 1,346,145.04 |
| 01/06/22 | Austin Law & Economics Consultants, Inc. | 1251 |            | (550.00)     | 1,345,595.04 |
| 01/11/22 | Delphi Litigation Strategies LLC         | 1252 |            | (63,655.36)  | 1,281,939.68 |
| 01/12/22 | ProPharma Group LLC                      | 1253 |            | (4,550.00)   | 1,277,389.68 |
| 01/12/22 | Greiner Court Reporting                  | 1254 |            | (209.00)     | 1,277,180.68 |
| 01/13/22 | Legal Media, Inc.                        | 1255 |            | (12,863.07)  | 1,264,317.61 |
| 01/20/22 | Robert Klonoff                           | 1256 |            | (1,970.00)   | 1,262,347.61 |
| 01/20/22 | Greylock McKinnon Associates             | 1257 |            | (4,635.00)   | 1,257,712.61 |
| 01/20/22 | Delphi Litigation Strategies LLC         | 1258 |            | (150,000.00) | 1,107,712.61 |
| 02/07/22 | Veritext                                 | 1260 |            | (1,348.50)   | 1,106,364.11 |

|          |                                  |      |  |              |              |
|----------|----------------------------------|------|--|--------------|--------------|
| 02/07/22 | Greylock McKinnon Associates     | 1261 |  | (43,734.75)  | 1,062,629.36 |
| 02/08/22 | ProPharma Group LLC              | 1262 |  | (325.00)     | 1,062,304.36 |
| 02/08/22 | Legal Economics                  | WIRE |  | (13,005.00)  | 1,049,299.36 |
| 02/15/22 | Legal Media, Inc.                | 1263 |  | (16,815.00)  | 1,032,484.36 |
| 03/14/22 | Legal Economics                  | WIRE |  | (46,990.00)  | 985,494.36   |
| 03/17/22 | Andrew W. Torrance               | 1264 |  | (151,290.00) | 834,204.36   |
| 04/07/22 | Greylock McKinnon Associates     | 1265 |  | (11,811.25)  | 822,393.11   |
| 04/21/22 | Andrew W. Torrance               | 1266 |  | (9,123.63)   | 813,269.48   |
| 04/22/22 | Legal Economics                  | WIRE |  | (17,865.00)  | 795,404.48   |
| 05/05/22 | Delphi Litigation Strategies LLC | 1267 |  | (60,823.75)  | 734,580.73   |
| 05/16/22 | Boies Schiller & Flexner LLP     | WIRE |  | (72,608.07)  | 661,972.66   |
| 05/16/22 | Keller Rohrback LLP              | WIRE |  | (145,216.15) | 516,756.51   |
| 05/16/22 | Pritzker Levine LLP              | WIRE |  | (145,216.15) | 371,540.36   |
| 05/16/22 | Robbins Geller Rudman & Dowd LLP | WIRE |  | (145,216.14) | 226,324.22   |
| 05/16/22 | Sharp Law LLP                    | WIRE |  | (145,216.15) | 81,108.07    |
| 05/16/22 | The Lanier Law Firm P.C.         | WIRE |  | (72,608.07)  | 8,500.00     |

**TOTALS AS OF MAY 16, 2022**

**\$ 8,284,214.65 \$ (8,275,714.65) \$ 8,500.00**

# EXHIBIT A-38

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785)   |
| _____   | ) | DECLARATION OF WARREN TAVARES<br>BURNS FILED ON BEHALF OF BURNS<br>CHAREST LLP IN SUPPORT OF<br>APPLICATION FOR AWARD OF<br>EXPENSES |
| This Document Relates To:   | ) |  |
| CONSUMER CLASS CASES.   | ) |  |
| _____   | ) |  |

I, Warren Tavares Burns, declare as follows:

1. I am Partner in the firm of Burns Charest LLP (the “Firm”). I am submitting this declaration in support of the Co-Lead Class Counsel’s application for an award of expenses/charges (“expenses”) in connection with the above-entitled action.

2. The Firm is Co-Lead Class Counsel and counsel of record for certain Class Plaintiffs in this action. I also served as lead trial counsel for the Class Plaintiffs’ case against Mylan.

3. The information in this declaration regarding the Firm’s expenses is based on my personal knowledge and the expense reports kept by the Firm in the ordinary course of business.

4. The Firm seeks an award of \$357,311.40 in expenses and charges in connection with the prosecution of the action from July 1, 2021, to present. Those expenses and charges are summarized by category in the attached **Exhibit A**.

5. A Firm resume was previously submitted to the Court.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 20th day of May, 2022, at Dallas, Texas.



---

Warren Tavares Burns

# EXHIBIT A

**EXHIBIT A**

*In re Epipen (Epinephrine Injection, USP) Marketing, Sales Practices and Antitrust Litigation,*  
No. 2:17-md-02785-DDC-TJJ (MDL No. 2785)

Burns Charest LLP  
July 1, 2021 to Present

| <b><i>CATEGORY</i></b>  | <b><i>AMOUNT</i></b> |
|---|----------------------|
| Lodging and Meals   | \$261,164.51         |
| Transportation and Travel Expenses  | \$41,447.43          |
| Messenger, Couriers, Overnight Delivery   | \$803.42             |
| Court Hearing Transcripts and Deposition Reporting, Transcripts and Videography | \$1,275.00           |
| Trial Consultants/Investigators/Materials                                       | \$43,423.83          |
| Photocopies - Outside   | \$9,197.21           |
|   |                      |
| <b><i>TOTAL</i></b>   | <b>\$357,311.40</b>  |

# EXHIBIT A-39

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |   |
|---|---|---|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785)  |
| _____   | ) | DECLARATION OF LYNN LINCOLN<br>SARKO FILED ON BEHALF OF KELLER<br>ROHRBACK L.L.P. IN SUPPORT OF |
| This Document Relates To:   | ) | APPLICATION FOR AWARD OF  |
| CONSUMER CLASS CASES.   | ) | EXPENSES  |
| _____   | ) |   |

I, Lynn Lincoln Sarko, declare as follows:

1. I am Managing Partner of Keller Rohrback L.L.P. (the “Firm”) and Co-Lead Counsel of record for Class Plaintiffs in this action.

2. The information in this declaration regarding the Firm’s expenses in this case is based on my personal knowledge and the expense reports kept by the Firm in the ordinary course of business.

3. The Firm seeks an award of \$181,238.50 in unreimbursed expenses and charges in connection with the prosecution of the action from July 1, 2021 through April 30, 2022. Those expenses and charges are summarized by category in the attached **Exhibit A**.

4. A Firm resume was previously submitted to the Court.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 20th day of May, 2022, at Seattle, Washington.

*/s/ Lynn Lincoln Sarko*  
\_\_\_\_\_  
Lynn Lincoln Sarko

**EXHIBIT A**

*In re Epipen (Epinephrine Injection, USP) Marketing, Sales Practices and Antitrust Litigation,*  
No. 2:17-md-02785-DDC-TJJ (MDL No. 2785)

KELLER ROHRBACK L.L.P.  
July 1, 2021 through April 30, 2022

| <b>CATEGORY</b>                                | <b>AMOUNT</b>       |
|--|---------------------|
| Electronic Research (Lexis/Westlaw/PACER)      | \$4,654.81          |
| Litigation Fund Contribution                   | \$154,783.85        |
| Federal Express/Overnight Delivery/Messengers  | \$267.09            |
| Photocopies - In House                         | \$1,424.00          |
| Air Travel                                     | \$12,935.35         |
| Meals  | \$553.88            |
| Hotels   | \$1,474.23          |
| Ground Transportation                          | \$2,170.61          |
| Court Reporter Service/Hearing Transcript Fees | \$32.70             |
| Miscellaneous                                  | \$2,941.98          |
| <b>TOTAL</b>                                   | <b>\$181,238.50</b> |

# EXHIBIT A-40

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785)   |
| _____   | ) | DECLARATION OF ELIZABETH C.<br>PRITZKER FILED ON BEHALF OF |
| This Document Relates To:   | ) | PRITZKER LEVINE LLP IN SUPPORT OF                          |
| CONSUMER CLASS CASES.   | ) | APPLICATION FOR AWARD OF                                   |
| _____   | ) | EXPENSES   |

I, Elizabeth C. Pritzker, declare as follows:

1. I am an attorney and counsel of record for Class Plaintiffs in this action.

2. The information in this declaration regarding the Firm’s expenses in this case is based on my personal knowledge and the expense reports kept by the Firm in the ordinary course of business.

3. The Firm seeks an award of \$164,343.90 in unreimbursed expenses and charges in connection with the prosecution of the action from July 1, 2021 through April 30, 2022. Those expenses and charges are summarized by category in the attached **Exhibit A**.

4. A Firm resume was previously submitted to the Court.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 17th day of May, 2022, at Emeryville, California.

*/s/ Elizabeth C. Pritzker*

\_\_\_\_\_  
Elizabeth C. Pritzker

**EXHIBIT A**

*In re Epipen (Epinephrine Injection, USP) Marketing, Sales Practices and Antitrust Litigation,*  
No. 2:17-md-02785-DDC-TJJ (MDL No. 2785)

PRITZKER LEVINE LLP  
July 1, 2021 through April 30, 2022

| <b>CATEGORY</b>                                | <b>AMOUNT</b>       |
|--|---------------------|
| Electronic Research (Lexis/Westlaw/PACER)      | \$4,635.70          |
| Assessment Fees                                | \$154,783.85        |
| Investigation Fees / Service Fees              |                     |
| Court Costs - Filing Fees                      | \$400.00            |
| Litigation Fund Contribution                   |                     |
| Federal Express/Overnight Delivery/Messengers  |                     |
| Photocopies - In House                         | \$2,009.18          |
| Photocopies - Outside                          |                     |
| Mileage  |                     |
| Air Travel                                     |                     |
| Meals  | \$574.91            |
| Deposition Costs                               |                     |
| Hotels   |                     |
| Postage  | \$402.37            |
| Service of Process Fees                        |                     |
| Telephone / Fax                                |                     |
| Transportation                                 | \$1,537.89          |
| Co-Counsel Fees                                |                     |
| Experts/Consultant Fees                        |                     |
| Court Reporter Service/Hearing Transcript Fees |                     |
| Miscellaneous                                  |                     |
| <b>TOTAL</b>                                   | <b>\$164,343.90</b> |

# EXHIBIT A-41

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |   |
|---|---|---|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785)  |
| _____   | ) | DECLARATION OF REX A. SHARP FILED<br>ON BEHALF OF SHARP LAW LLP IN<br>SUPPORT OF APPLICATION FOR<br>AWARD OF EXPENSES |
| This Document Relates To:   | ) |   |
| CONSUMER CLASS CASES.   | ) |   |
| _____   | ) |   |

I, Rex A. Sharp, declare as follows:

1. I am Managing Partner of Sharp Law LLP (the “Firm”) and Co-Lead Counsel of record for Class Plaintiffs in this action.
2. The information in this declaration regarding the Firm’s expenses in this case is based on my personal knowledge and the expense reports kept by the Firm in the ordinary course of business.
3. The Firm seeks an award of \$180,870.35 in unreimbursed expenses and charges in connection with the prosecution of the action from July 1, 2021 through April 30, 2022. Those expenses and charges are summarized by category in the attached **Exhibit A**.
4. A Firm resume was previously submitted to the Court.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 20th day of May, 2022, at Prairie Village, Kansas.

\_\_\_\_\_  
/s/ Rex A. Sharp  
REX A. SHARP

**EXHIBIT A**

*In re Epipen (Epinephrine Injection, USP) Marketing, Sales Practices and Antitrust Litigation,*  
No. 2:17-md-02785-DDC-TJJ (MDL No. 2785)

SHARP LAW LLP  
July 1, 2021 through April 30, 2022

| <b>CATEGORY</b>                               | <b>AMOUNT</b>       |
|---|---------------------|
| Electronic Research (Lexis/Westlaw/PACER)     | \$9,205.98          |
| Assessment Fees                               | \$154,783.85        |
| Court Costs - Filing Fees                     | \$496.00            |
| Federal Express/Overnight Delivery/Messengers | \$10.06             |
| Air Travel                                    | \$4,417.40          |
| Meals   | \$5,819.36          |
| Hotels  | \$5,163.81          |
| Transportation                                | \$973.89            |
| <b>TOTAL</b>                                  | <b>\$180,870.35</b> |

# EXHIBIT A-42

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |  |
|---|---|--|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785)       |
| _____   | ) | DECLARATION OF MATTHEW S.<br>TRIPOLITSIOTIS FILED ON BEHALF OF |
| This Document Relates To:   | ) | BOIES SCHILLER FLEXNER LLP IN                                  |
| CONSUMER CLASS CASES.   | ) | SUPPORT OF APPLICATION FOR                                     |
| _____   | ) | AWARD OF EXPENSES  |
|   | ) |  |

I, Matthew S. Tripolitsiotis, declare as follows:

1. I am a Partner in the firm of Boies Schiller Flexner LLP (“BSF” or the “Firm”). I am submitting this declaration in support of the Co-Lead Class Counsel’s application for an award of expenses/charges (“expenses”) in connection with the above-entitled action.

2. I am a member of the Plaintiffs’ Steering Committee and the Firm is counsel of record for certain Class Plaintiffs in this action.

3. The information in this declaration regarding the Firm’s expenses is based on my personal knowledge and the expense reports kept by the Firm in the ordinary course of business.

4. The Firm seeks an award of \$99,526.48 in expenses and charges in connection with the prosecution of the action from July 1, 2021 through April 30, 2022. Those expenses and charges are summarized by category in the attached **Exhibit A**.

5. A Firm resume was previously submitted to the Court.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 17th day of May, 2022, at Armonk, NY.

Matthew S. Tripolitsiotis

**EXHIBIT A**

*In re Epipen (Epinephrine Injection, USP) Marketing, Sales Practices and Antitrust Litigation,*  
No. 2:17-md-02785-DDC-TJJ (MDL No. 2785)

Boies Schiller Flexner LLP  
July 1, 2021 through April 30, 2022

| <b>CATEGORY</b>                               | <b>AMOUNT</b>      |
|---|--------------------|
| Electronic Research (Lexis/Westlaw/PACER)     | \$18,834.24        |
| Assessment Fees                               | \$77,391.93        |
| Federal Express/Overnight Delivery/Messengers | \$181.94           |
| Photocopies – In House                        | \$109.35           |
| Photocopies – Outside Services                | \$357.22           |
| Mileage                                       | \$119.27           |
| Air Travel                                    | \$999.61           |
| Meals   | \$96.13            |
| Hotels  | \$854.09           |
| Telephone/Fax                                 | \$79.33            |
| Transportation                                | \$459.52           |
| Miscellaneous                                 | \$43.85            |
| <b>TOTAL</b>                                  | <b>\$99,526.48</b> |

# EXHIBIT A-43

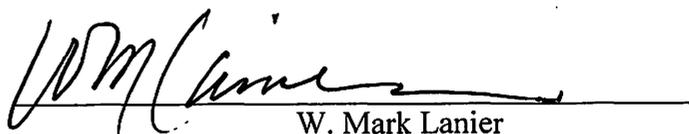
UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |   |
|---|---|---|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785)  |
| _____   | ) | DECLARATION OF W. MARK LANIER FILED ON<br>BEHALF OF THE LANIER LAW FIRM IN SUPPORT<br>OF APPLICATION FOR AWARD OF<br>EXPENSES |
| This Document Relates To:   | ) |   |
| CONSUMER CLASS CASES.   | ) |   |
| _____   | ) |   |

I, W. Mark Lanier, declare as follows:

1. I am an attorney and counsel of record for Class Plaintiffs in this action.
2. The information in this declaration regarding the Firm’s expenses in this case is based on my personal knowledge and the expense reports kept by the Firm in the ordinary course of business.
3. The Firm seeks an award of \$95,213.55 in unreimbursed expenses and charges in connection with the prosecution of the action from July 1, 2021 through April 30, 2022. Those expenses and charges are summarized by category in the attached **Exhibit A**.
4. A Firm resume was previously submitted to the Court.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 17 day of May, 2022, at Houston, Texas.

  
 \_\_\_\_\_  
 W. Mark Lanier

**EXHIBIT A**

*In re Epipen (Epinephrine Injection, USP) Marketing, Sales Practices and Antitrust Litigation,*  
No. 2:17-md-02785-DDC-TJJ (MDL No. 2785)

The Lanier Law Firm  
July 1, 2021 through April 30, 2022

| <b>CATEGORY</b>                                | <b>AMOUNT</b>      |
|--|--------------------|
| Electronic Research (Lexis/Westlaw/PACER)      | \$2,980.20         |
| Assessment Fees                                | \$77,391.93        |
| Investigation Fees / Service Fees              | \$0.00             |
| Court Costs - Filing Fees                      | \$1,296.00         |
| Litigation Fund Contribution                   | \$0.00             |
| Federal Express/Overnight Delivery/Messengers  | \$953.89           |
| Photocopies - In House                         | \$284.20           |
| Photocopies - Outside                          | \$170.13           |
| Mileage  | \$0.00             |
| Air Travel                                     | \$1,453.60         |
| Meals  | \$117.07           |
| Deposition Costs                               | \$0.00             |
| Hotels   | \$982.04           |
| Postage  | \$0.53             |
| Service of Process Fees                        | \$0.00             |
| Telephone / Fax                                | \$0.00             |
| Transportation                                 | \$99.25            |
| Co-Counsel Fees                                | \$0.00             |
| Experts/Consultant Fees                        | \$0.00             |
| Court Reporter Service/Hearing Transcript Fees | \$2,055.75         |
| Miscellaneous                                  | \$7,428.96         |
| <b>TOTAL</b>                                   | <b>\$95,213.55</b> |

# EXHIBIT A-44

UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS

|   |   |   |
|---|---|---|
| In re EPIPEN (EPINEPHRINE INJECTION,<br>USP) MARKETING, SALES PRACTICES<br>AND ANTITRUST LITIGATION | ) | Civil Action No. 2:17-md-02785-DDC-TJJ<br>(MDL No. 2785)  |
| _____   | ) | DECLARATION OF COURTNEY E.<br>MACCARONE FILED ON BEHALF OF<br>LEVI & KORSINSKY, LLP IN SUPPORT<br>OF APPLICATION FOR AWARD OF<br>EXPENSES |
| This Document Relates To:   | ) |   |
| CONSUMER CLASS CASES.   | ) |   |
| _____   | ) |   |

I, Courtney E. Maccarone, declare as follows:

1. I am an attorney and counsel of record for Class Plaintiffs in this action.
2. The information in this declaration regarding the Firm’s expenses in this case is based on my personal knowledge and the expense reports kept by the Firm in the ordinary course of business.
3. The Firm seeks an award of \$402 in unreimbursed expenses and charges in connection with the prosecution of the action from July 1, 2021 through April 30, 2022. Those expenses and charges are summarized by category in the attached **Exhibit A**.
4. A Firm resume was previously submitted to the Court.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 6th day of May, 2022, at Suffolk, New York.

*/s/ Courtney E. Maccarone*  


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 Courtney E. Maccarone

**EXHIBIT A**

*In re Epipen (Epinephrine Injection, USP) Marketing, Sales Practices and Antitrust Litigation,*  
No. 2:17-md-02785-DDC-TJJ (MDL No. 2785)

LEVI & KORSINSKY, LLP  
July 1, 2021 through April 30, 2022

| <b>CATEGORY</b>                                | <b>AMOUNT</b> |
|--|---------------|
| Electronic Research (Lexis/Westlaw/PACER)      |               |
| Assessment Fees                                |               |
| Investigation Fees / Service Fees              |               |
| Court Costs - Filing Fees                      | \$402         |
| Litigation Fund Contribution                   |               |
| Federal Express/Overnight Delivery/Messengers  |               |
| Photocopies - In House                         |               |
| Photocopies - Outside                          |               |
| Mileage  |               |
| Air Travel                                     |               |
| Meals  |               |
| Deposition Costs                               |               |
| Hotels   |               |
| Postage  |               |
| Service of Process Fees                        |               |
| Telephone / Fax                                |               |
| Transportation                                 |               |
| Co-Counsel Fees                                |               |
| Experts/Consultant Fees                        |               |
| Court Reporter Service/Hearing Transcript Fees |               |
| Miscellaneous                                  |               |
| <b>TOTAL</b>                                   | <b>\$402</b>  |