

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT**

IN RE AGGRENOX ANTITRUST LITIGATION	Master Docket No. 3:14-cv-02516-(SRU) Judge Stefan R. Underhill
--	--

**NOTICE OF DIRECT PURCHASER CLASS PLAINTIFFS' UNOPPOSED MOTION
FOR CERTIFICATION OF A SETTLEMENT CLASS, APPOINTMENT OF CLASS
COUNSEL, PRELIMINARY APPROVAL OF PROPOSED SETTLEMENT, APPROVAL
OF THE FORM AND MANNER OF NOTICE TO THE CLASS AND PROPOSED
SCHEDULE FOR A FAIRNESS HEARING**

Pursuant to Federal Rule of Civil Procedure 23, Direct Purchaser Class Plaintiffs (“DPC Plaintiffs”) respectfully move for entry of the Preliminary Approval Order proposed herewith (Exhibit A to the Settlement Agreement annexed to the Declaration of Bruce E. Gerstein) which provides for:

- (a) Certification of a settlement class;
- (b) Appointment of Class Counsel for the settlement class;
- (c) Preliminary approval by the Court of a proposed Settlement Agreement between DPC Plaintiffs and Defendants;
- (d) Approval of the proposed form and manner of notice to the Class;
- (e) Approval of the proposed Escrow Agreement between DPC Plaintiffs, Defendants and Berdon Claims Administration LLC;
- (f) Approval of the proposed Final Judgment and Order; and
- (g) The establishment of a proposed schedule leading up to and including the Fairness Hearing.

In support of this motion, DPC Plaintiffs rely upon the accompanying Memorandum of Law and Declaration of Bruce E. Gerstein (and exhibits thereto).

September 6, 2017

Respectfully submitted,

/s/ Joseph Opper
Joseph Opper
Bruce E. Gerstein
Noah Silverman
Ephraim R. Gerstein
GARWIN GERSTEIN & FISHER LLP
88 Pine Street Fl. 10
New York, NY 10005
212-398-0055
Email: bgerstein@garwingerstein.com
jopper@garwingerstein.com
nsilverman@garwingerstein.com
egerstein@garwingerstein.com

*Interim Lead Counsel for Direct Purchaser Class
Plaintiffs*

David F. Sorensen
Daniel C. Simons
Nick Urban
BERGER & MONTAGUE, P.C.
1622 Locust Street
Philadelphia, PA 19103
Tel: (215) 875-3000
Email: dsorensen@bm.net
dsimons@bm.net
nurban@bm.net

Thomas M. Sobol
David S. Nalven
Edward Notargiacomo
HAGENS BERMAN SOBOL SHAPIRO LLP
55 Cambridge Parkway, Suite 301
Cambridge, MA 02142
Tel: (617) 482-3700
Email: tom@hbsslaw.com
davidn@hbsslaw.com
EdwardNotargiacomo@hbsslaw.com

Linda P. Nussbaum
NUSSBAUM LAW GROUP, P.C.
485 Lexington Avenue, 29th Floor
New York, NY 10017
Tel: (646) 722-8504
Email: lnussbaum@nussbaumpc.com

*Interim Executive Committee for Direct Purchaser
Class Plaintiffs*

Gerald C. Pia, Jr.
Brian C. Roche
ROCHE PIA LLC
Two Corporate Drive, Suite 248
Shelton, CT 06484
Tel: (203) 944-0235
Email: gpia@rochepia.com
broche@rochepia.com

David R. Schaefer
BRENNER, SALTZMAN & WALLMAN LLP
271 Whitney Avenue
New Haven, CT 06511
dschaefer@bswlaw.com
Telephone: (203) 772-2600
Facsimile: (203) 562-2098

*Interim Co-Liaison Counsel for Direct Purchaser
Class Plaintiffs*