

EXHIBIT 11

**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
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**DECLARATION OF LINDA P. NUSSBAUM OF NUSSBAUM LAW GROUP, P.C. IN
SUPPORT OF CLASS COUNSEL’S MOTION FOR AN AWARD OF ATTORNEYS’
FEES, REIMBURSEMENT OF EXPENSES AND INCENTIVE AWARDS TO CLASS
REPRESENTATIVES**

I, Linda P. Nussbaum, under penalty of perjury under the laws of the United States of America, declare as follows:

1. I am the managing director of Nussbaum Law Group, P.C. I am submitting this declaration in support of Class Counsel’s motion for attorneys’ fees and reimbursement of expenses in connection with services rendered by my firm in the above-captioned litigation. A copy of my firm’s resume is attached hereto as Exhibit 1. The factual matters set forth and the assertions made herein are true and correct to the best of my knowledge, information and belief.

2. Nussbaum Law Group, P.C. represents Cesar Castillo, Inc. a class representative in this matter. Our work included general work on behalf of the Class as well as work with respect to Cesar Castillo, Inc. It included review and production of Cesar Castillo, Inc.’s documents and discovery responses, research and work in offensive and third-party discovery, document review projects, and factual and legal research and analysis with respect to authorized generics and

selected issues. We also worked on the draft mediation materials and participated with lead counsel in the mediation.

3. All attorneys, paralegals and law clerks at my firm were instructed to keep contemporaneous time records reflecting their time spent on this case, and did so.

4. The schedule below is a summary of the amount of time spent by my firm’s attorneys and paralegals from the beginning of our involvement in the litigation through September 6, 2017, the date that the motion seeking preliminary approval of the Settlement was filed with the Court. Our total lodestar in the case is \$509,760.00

5. The schedule was prepared from contemporaneous, daily time records regularly prepared and maintained by my firm. Time expended in preparing this application for fees and reimbursement of expenses has not been included in this request.

Name	Status	Total Hours	Current Hourly Rate	Total Lodestar
Linda Nussbaum	Director	53.70	\$950.00	\$51015.00
Bradley J. Demuth	Director	314.30	\$775.00	\$243582.50
Susan R. Schwaiger	Of Counsel	37.70	\$750.00	\$28275.00
Jan R. Bartelli	Of Counsel	236.50	\$675.00	\$159637.50
Dov Kalton	Staff Attorney	26.50	\$500.00	\$13250.00
Michael Spyropoulos	Staff Attorney	34.50	\$400.00	\$13800.00
Benjamin Alpert	Paralegal	1.00	\$200.00	\$200.00

6. My firm has also incurred a total of \$51,691.48 in unreimbursed expenses in connection with the prosecution of the litigation. These expenses were reasonably and necessarily incurred in connection with this litigation and include:

7.

Expense	Amount
Litigation Fund Contributions	\$50000.00
Pacer April 2015 to June 2015	\$36.40
Pacer July 2015	\$43.80
Pacer August 2015	\$6.80
Shipping/Postage	\$39.98
Lexis September 2015	\$96.00
Pacer September 2015	\$8.70
Pacer October 2015	\$1.00
Pacer February 2016	\$4.60
Pacer May 2016	\$4.80
Pacer July 2016	\$5.90
Document Database Vendor: Everlaw, Inc. invoice no. 6829	\$450.00
Document Database Vendor: Everlaw, Inc. invoice no. 7093	\$525.00
In House Printing & Copies: January 1, 2017 to June 30, 2017. (75 pages at \$0.25 per page)	\$18.50
Document Database Vendor: Everlaw, Inc. invoice no. 6588	\$450.00

8. The expenses incurred in this action are also reflected on the books and records of my firm. These books and records are prepared from expense vouchers, receipts and other source material and accurately record the expenses incurred.

Dated: 10/3 2017



NUSSBAUM LAW GROUP, P.C.

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FIRM BIOGRAPHY

Nussbaum Law Group, P.C. (“NLG”) is a boutique litigation firm specializing in the prosecution of antitrust and other complex litigation. Linda Nussbaum, the firm’s founder, has been at the forefront of landmark fair competition cases for over 25 years. The firm’s experienced litigators have played leading roles in recovering billions of dollars for their clients from the world’s largest corporations, and have developed wide-ranging expertise litigating actions involving, among others, the pharmaceutical industry, the commodities markets, the banking and financial services industry.

MANAGING DIRECTOR LINDA P. NUSSBAUM

Linda Nussbaum is the managing director of the Nussbaum Law Group, P.C. She is nationally recognized for her representation of class and individual plaintiffs in antitrust, RICO, CEA, and pharmaceutical litigation. She has served as sole or co-lead counsel in many significant class actions which have resulted in substantial recoveries, many in the realm of hundreds of millions of dollars. She has also represented large corporate clients including, among others, Hewlett-Packard Company, Kaiser Foundation Health Plan, Inc., Meijer, Inc., Bed Bath & Beyond Inc., Burlington Coat Factory Warehouse Corporation, Progressive Casualty Insurance Company, Avis Budget Group, Inc. and Wegmans Food Markets, Inc.

Ms. Nussbaum was selected “Litigator of the Week” by the AMLAW LITIGATION DAILY on April 2, 2010 for her lead counsel role in *Kaiser Foundation Health Plan, Inc. and Kaiser Foundation Hospitals v. Pfizer*, where, after a six-week trial, a jury returned a RICO verdict for her clients. She was named as a finalist for Public Justice Foundation’s 2011 Trial Lawyer of the Year award. She was selected by Global Competition Review’s independent research with clients and peers as being among the world’s leading competition lawyers in 2016 and 2017. Ms. Nussbaum has lectured extensively about various aspects of antitrust and class action law. Recently, she moderated a panel discussion of Class Action Ethics in Antitrust cases at the 2015 American Antitrust Institute Private Enforcement Conference. She also participated in the American Bar Association, Section of Antitrust Law, 63rd Antitrust Law Spring Meeting, April 15-17, 2015 in a debate on “Beyond Reverse Payments: the New Frontiers in Pharmaceutical Antitrust.” In

February 2015, she co-sponsored the American Antitrust Institute conference “After *Actavis*: Litigating Reverse Payment Cases.” In November 2012, she participated in a panel for the American Bar Association on FDA Citizen Petitions and *Noerr* Immunity. Ms. Nussbaum will serve as a faculty member of the Harris Martin Pharmaceutical Antitrust Litigation Conference: Generic Drugs & Emerging Price-Fixing Cases to be held on March 3, 2017. She has participated in many other lectures and panel discussions and has spoken at the American Bar Association’s Spring Meetings on a variety of antitrust topics over the past ten years. She has also authored numerous publications.

Ms. Nussbaum’s successful prosecution of complex litigation has been recognized and commended by judges in matters in which she has served as Direct Purchaser Class lead counsel.

Chief Judge Hogan of the District of Columbia commented in *In re Lorazepam & Clorazepate Antitrust Litigation*, No. 99-cv-00276 (D.D.C.):

“Obviously, the skill of the attorneys, and I’m not going to spend the time reviewing it, I’m familiar with counsel, and they, as I said, are among the best antitrust litigators in the country.”

From Judge Faith S. Hochberg of the District of New Jersey:

“[W]e sitting here don’t get to see such fine lawyering, and it’s really wonderful for me both to have tough issues and smart lawyers. On behalf of the entire federal judiciary I want to thank you for the kind of lawyering we wish everybody would do.”

Following the trial in *In re Neurontin Marketing and Sales Practices Litigation*, No. 04cv10981 (D. Mass.), Judge Patti Saris commented that:

“[this was] a fabulous trial[.] [I]t’s the kind of thing that you become a judge to sit on.”

Ms. Nussbaum is presently serving as lead class counsel in:

- *Castro v. Sanofi Pasteur Inc.* (D.N.J.)
- *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation* (E.D.N.Y.)
- *In re Aluminum Warehousing Antitrust Litigation* (S.D.N.Y.)
- *In re Zinc Antitrust Litigation* (S.D.N.Y.)
- *In re Actos Direct Purchaser Antitrust Litigation* (S.D.N.Y.)
- *Washington County Health Care Authority Inc. v. Baxter International Inc., et al.* (N.D. Ill).

Ms. Nussbaum is presently serving as one of the allocation counsel in *In re Foreign Exchange Benchmark Antitrust Litigation* (S.D.N.Y.). She is a member of the Plaintiff Steering Committee (P.S.C.) in *In re Generic Drugs* (E.D.P.A.) and *In re Liquid Aluminum Sulfate Litigation* (D.N.J.)

Ms. Nussbaum has represented over a dozen major public companies in *In re Payment Card Interchange and Merchant Antitrust Litigation* (E.D.N.Y.). She is presently representing large corporate clients' in individual actions in *In re American Express Anti-Steering Rules Antitrust Litigation (No. II)* (E.D.N.Y.).

DIRECTOR BART D. COHEN

Bart Cohen has over 20 years' experience in class actions and other complex litigation. Prior to joining the Nussbaum Law Group, he was a shareholder with one of the nation's preeminent class action firms, with an emphasis on federal antitrust litigation.

Mr. Cohen was part of a group of senior attorneys responsible for leading the prosecution of *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation* (E.D.N.Y.), which resulted in the district court's approval of a settlement providing for \$5.7 billion in cash payments and injunctive relief worth billions more. In *Univac Dental Co. v. Dentsply, Int'l, Inc.* (M.D. Pa.), Mr. Cohen was solely responsible for the day-to-day prosecution of claims alleging monopolization on behalf of one of the defendant's former competitors. The case settled shortly before the trial date, after surviving dismissal, summary judgment and *Daubert* motions. Mr. Cohen maintained significant responsibility for representing a proposed nationwide class of ATM customers in antitrust litigation against a leading ATM network and several of the nation's largest banks in *In re ATM Fee Antitrust Litigation* (N.D. Cal.).

Mr. Cohen's writing as to antitrust issues has been published on Law360 and in several publications of the American Bar Association. His writing as to other issues has appeared in the Legal Intelligencer and publications of the Philadelphia Bar Association. He was rated as "a very strong litigator" in the Legal 500 in 2009 and 2010, and has been designated a "Pennsylvania Super Lawyer," a distinction awarded to only five percent of the attorneys in the state, in each of the nine years.

DIRECTOR BRADLEY J. DEMUTH

Brad Demuth's practice focuses on antitrust and other complex commercial litigation. After serving as a law clerk to the United States Court of Appeals for the Second Circuit, Mr. Demuth worked for several years as an associate at two of the largest and most well-regarded defense firms in the world.

Mr. Demuth has extensive experience trying cases and litigating a range of antitrust and other complex commercial matters, including in the pharmaceutical, high-tech, luxury goods, finance, commodities, industrial materials, and sports league contexts. His most recent antitrust casework includes contributions in:

- *In re Foreign Exchange Benchmark Antitrust Litigation* (S.D.N.Y.)
- *In re Aluminum Warehousing Antitrust Litigation* (S.D.N.Y.)
- *In re Zinc Antitrust Litigation* (S.D.N.Y.)
- *In re Actos Direct Purchaser Antitrust Litigation* (S.D.N.Y.)
- *Castro v. Sanofi Pasteur, Inc.* (D.N.J.) (*re: Menactra*)

OF COUNSEL: SUSAN R. SCHWAIGER

Susan Schwaiger has worked with Ms. Nussbaum since 1998 and practices in the area of antitrust and commodities litigation, with experience in cases involving a wide variety of industries including banking and financial services, pharmaceuticals and chemicals. Ms. Schwaiger has played a significant role in a number of major antitrust cases in which Ms. Nussbaum served as lead counsel including:

- *In re Lorazepam & Clorazepate Antitrust Litigation* (D.D.C.)
- *In re Microcrystalline Cellulose Antitrust Litigation* (E.D.P.A.)
- *In re Plastics Additives Antitrust Litigation* (E.D.P.A.)
- *In re Foundry Resins Antitrust Litigation* (S.D. Ohio)
- *In re Rubber Chemicals Antitrust Litigation* (N.D. Cal.)

Ms. Schwaiger currently devotes a substantial amount of her practice to antitrust and commodity class action and individual action litigation. Among the matters in which Ms. Schwaiger is presently involved are:

- *In re Automotive Parts Antitrust Litigation* (E.D. Mich.)
- *In re Packaged Seafood Products Antitrust Litigation* (S.D. Cal.)
- *In re Foreign Exchange Benchmark Antitrust Litigation* (S.D.N.Y.)

In addition, Ms. Schwaiger has been involved in representing individual plaintiffs in *In re Payment Card Interchange Fee and Merchant Antitrust Litigation* (E.D.N.Y.) and *In re American Express Anti-Steering Rules Antitrust Litigation (No. II)* (E.D.N.Y.).

OTHER NLG ATTORNEYS

In addition to its Directors, Nussbaum Law Group is supported by other accomplished attorneys with extensive expertise in antitrust and other complex commercial matters, including Hugh D. Sandler and Peter Moran.

Hugh D. Sandler, Senior Associate

Prior to joining Nussbaum Law Group, Mr. Sandler spent seven years working for two international law firms in New York City. His practice experience includes drafting and arguing pre-trial motions, deposing witnesses, defending witness depositions, preparing witnesses to testify, examining witnesses, cross-examining adverse witnesses at trial, and arguing appellate matters in both federal and state appeal courts.

His litigation experience, which is both international and domestic in scope, focuses on class actions and other complex disputes arising under the Racketeer Influenced and Corrupt Organizations Act (RICO), the Sherman Act, the Alien Tort Claims Act, the Anti-Terrorism Act, the Trafficking Victims Protection Act, the Civil Rights Act, Delaware corporate law, as well as actions in fraud, breach of fiduciary duties, breach of contract, and business-related torts.

In July 2015, Mr. Sandler (along with his trial co-counsel) was awarded Public Justice's Trial Lawyer of the Year award for his trial work in *David v. Signal* (E.D. La.). Additionally, Mr. Sandler has been recognized as a "Rising Star" by Thomson Reuters's *Super Lawyers* publication in both 2014 and 2015.

Mr. Sandler served as law clerk to the Judge Arthur Gans of the Ontario Superior Court. Mr. Sandler graduated from McGill University Faculty of Law, 2007, B.C.L. and LL.B., with great distinction, and obtained a joint honors B.A. in economics and political science from the University of Waterloo in 2003. He is proficient in French and is a member of the New York Public Library Young Lions Association.

Peter Moran, Associate

Prior to joining the Nussbaum Law Group, Mr. Moran was an associate with an international law firm in New York City in its Global Competition group where he represented commercial clients on a variety of antitrust and complex commercial litigation issues, including violations of the federal and state antitrust and consumer protection laws, antitrust compliance, internal investigations, individual civil and criminal liability and responding to federal and foreign regulators.

Mr. Moran has also represented pro bono clients before the New York Court of Appeals and Appellate Division, First Department and was a recipient of the 2011 Legal Aid Society Pro Bono Publico Award for outstanding service.

Mr. Moran graduated *cum laude* from Brooklyn Law School in 2009, where he was a member of the Brooklyn Law School Journal of International Law and Moot Court Honor Society and recipient of several academic awards.