

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KING DRUG COMPANY OF FLORENCE, Inc., et al., on behalf of themselves and all others similarly situated, Plaintiffs, v. CEPHALON, INC., et al., Defendants.	Civil Action No. 2:06-cv-01797-MSG
	Judge Mitchell S. Goldberg

**SUPPLEMENTAL DECLARATION OF BRUCE E. GERSTEIN IN SUPPORT OF
CLASS COUNSEL’S MOTION FOR AN AWARD OF ATTORNEYS’ FEES,
REIMBURSEMENT OF EXPENSES AND INCENTIVE AWARDS TO CLASS
REPRESENTATIVES**

1. I, Bruce E. Gerstein, the managing partner at Garwin Gerstein & Fisher, L.L.P. (“GGF”), the law firm appointed by the Court as Lead Counsel for the Direct Purchaser Class Plaintiffs (“DPCPs”), respectfully submit this supplemental declaration in support of Class Counsel’s motion for an award of attorneys’ fees, reimbursement of expenses and incentive awards to class representatives. *See* Dkt No. 858.

2. The date for prospective class members to object or opt out of DPCPs’ settlement with the Cephalon Defendants (the “Settlement”) has now passed, *i.e.*, October 1, 2015.

3. No class member has objected or opted out. To date, class members who, according to an initial analysis by Class Counsel’s expert economist (Dr. Jeffrey Leitzinger) will

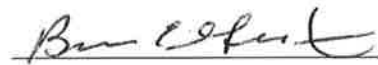
be entitled to approximately 96% of the monetary recovery, have submitted letters to the Court expressly and affirmatively supporting Class Counsel's fee request of 27.5% of the Settlement.¹

4. Specifically, pursuant to the Court's July 27, 2015 order preliminarily approving the Settlement, notice of settlement was sent to class members on August 17, 2015 via direct mailing.²

5. As outlined in the notice, class members were informed, *inter alia*, that the Court had preliminarily approved the Settlement and that a final Fairness Hearing had been scheduled for October 15, 2015. Class members were also informed that they could opt out of the Settlement, object to the Settlement (or any part of it), and/or object to Class Counsel's requested attorneys' fees, reimbursement of expenses and incentive awards via letter to Class Counsel (among others) postmarked no later than October 1, 2015.³

I, Bruce E. Gerstein, declare under penalty of perjury that the above is true and correct.

Dated: October 6, 2015



Bruce E. Gerstein

¹ See Dkt No. 858 (Exs. 19-31 to Dec. of Bruce E. Gerstein in Support of Class Counsel's Motion for an Award of Attorneys' Fees, Reimbursement of Expenses and Incentive Awards to Class Representatives) ("Gerstein Dec. 1").

² See Dkt No. 831 (July 27, 2015 Order); Dkt No. 858 (Ex. 2 to Gerstein Dec. 1)(Affidavit of Berdon Claims Administration LLP).

³ The notice informed class members that Class Counsel's fee submission would be made available on Class Counsel's website on September 17, 2015 and would be filed with the office of the clerk on the same date.