

**EXHIBIT**

**22**

CLEMENTE MUELLER, P.A.  
Jonathan D. Clemente  
218 Ridgedale Avenue  
Cedar Knolls, NJ 07927  
Tel.: (973) 455-8008  
*Liaison Counsel for the  
Direct Purchaser Class Plaintiffs*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

*In re Neurontin Antitrust Litigation*

**Master File No. 02-1390**

**THIS DOCUMENT RELATES TO:**

**Civil Action No. 02-1830**

**LOUISIANA WHOLESALE DRUG  
COMPANY, INC., MEIJER, INC. and  
MEIJER DISTRIBUTION, INC., on  
behalf of themselves and all others  
similarly situated,**

**Civil Action No. 02-2731**

**Plaintiffs,**

**v.**

**PFIZER, INC. and WARNER-  
LAMBERT CO.,**

**Defendants.**

**AFFIDAVIT OF STUART E. DES ROCHES ON BEHALF OF ODOM &  
DES ROCHES, LLP IN SUPPORT OF DIRECT PURCHASER CLASS  
COUNSEL'S MOTION FOR AN AWARD OF ATTORNEYS' FEES AND  
REIMBURSEMENT OF EXPENSES**

STATE OF LOUISIANA)

) ss.: 433-23-6752

PARISH OF ORLEANS )

**STUART E. DES ROCHES**, being first duly sworn, deposes and says:

I, Stuart E. Des Roches, under penalty of perjury under the laws of the United States of America, declare as follows:

1. I am a partner in the law firm of Odom & Des Roches, LLP (“ODR”).

I submit this declaration in support of Direct Purchaser Class Counsel’s motion for an award of attorney’s fees and reimbursement of expenses in connection with the above-entitled action. The factual matters set forth and the assertions made herein are true and correct to the best of my knowledge, information and belief.

2. As counsel of record and a member of the Court-designated Executive Committee in this case for the Direct Purchaser Class Plaintiffs, ODR has been intimately involved in many aspects of this litigation for over twelve (12) years.

3. Organization of counsel is critical to the efficient and effective management of complex antitrust cases such as this case. In that regard, ODR coordinated assignments with Class Counsel, particularly Co-lead Counsel, through email, regular conference calls and in-person meetings. All attorneys, paralegals, and law clerks of ODR were instructed to keep contemporaneous time records reflecting their time spent on this case.

4. From the inception of this litigation to the present, ODR has worked a total of 14,797.75 hours on this case. ODR's total lodestar is \$7,369,606.25.

5. The schedule below is a summary of the amount of time spent, from inception through present, by ODR's attorneys and support staff on this case, and the corresponding lodestar calculation based on current billing rates. The schedule was prepared from contemporaneous, daily time records regularly prepared and maintained by ODR, which are available at the request of the Court.

<b>Attorneys and Staff</b>	<b>Status</b>	<b>Total Hours</b>	<b>Current Hourly Rate</b>	<b>Total Lodestar</b>
John G. Odom	Partner	85.25	\$875	\$74,593.75
Stuart E. Des Roches	Partner	1,164.50	\$750	\$873,375.00
Andrew W. Kelly	Partner	2,036	\$675	\$1,374,300.00
Charles F. Zimmer	Partner	14	\$575	\$8,050.00
Craig M. Glantz	Contract Attorney	4,342.50	\$575	\$2,496,937.50
Chris Letter	Associate Attorney	2,069	\$500	\$1,034,500.00
John E. Fitzpatrick, III	Associate Attorney	1,942.75	\$400	\$777,100.00
Annie M. Schmidt	Associate Attorney	310.25	\$300	\$93,075.00
John A. Meade	Associate Attorney	660.50	\$500	\$330,250.00
Kim J. Fontenot	Paralegal	1,053.25	\$150	\$157,987.50

Amy L. Kennelly	Paralegal	753.50	\$120	\$90,420.00
Andrea Achary	Paralegal	19	\$120	\$2,280.00
Jay Mattappally	Law Clerk	316.25	\$150	\$47,437.50
David Pellegrin	Law Clerk	31	\$300	\$9,300.00
<b>Total</b>		14,797.75		\$7,369,606.25

6. ODR incurred a total of \$ \$425,373.49 in unreimbursed expenses in connection with the prosecution of this case. These expenses were reasonably and necessarily incurred in connection with this case and include:

<b>Expense</b>	<b>Amount</b>
Advances to litigation fund	\$300,000.00
Copy costs	\$35,196.31
Postage/Courier Services	\$2,133.55
Travel expenses	\$86,009.49
Long distance/fax	\$626.54
Court costs	\$654.00
Computer research	\$753.60
<b>Total</b>	<b>\$425,373.49</b>

7. The expenses incurred in this action are also reflected on ODR's books and records. These books and records are prepared from expense vouchers, check records and other source material and accurately record the expenses incurred.

8. With respect to the standing of counsel in this case, attached hereto as Exhibit "A" is a brief biography of the firm and attorneys who were primarily involved in this case. ODR has engaged in antitrust litigation for many years, including over fourteen (14) years of litigating Hatch-Waxman antitrust cases on behalf of direct purchaser class plaintiffs.

9. Also, over the years ODR has engaged in non-class contingency fee litigation, including non-class antitrust litigation in the pharmaceutical industry. The firm's typical contingency fee arrangement, including in prior non-class antitrust cases, has been at least one-third of any recovery, and usually more, for any case that goes to trial.

**SO SWORN**, this 27<sup>th</sup> day of June, 2014, New Orleans, Louisiana.

Dated: 27 June, 2014

  
Stuart E. Des Roches

Sworn to and subscribed before me this 27<sup>th</sup> day of June, 2014.

  
\_\_\_\_\_  
NOTARY PUBLIC

JOHN E. FITZPATRICK, III  
NOTARY PUBLIC  
BAR#31155  
STATE OF LOUISIANA  
MY COMMISSION IS FOR LIFE

# Exhibit A

**ODOM & DES ROCHES, LLP**  
*A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS*  
**SUITE 2020, POYDRAS CENTER**  
**650 POYDRAS STREET**  
**NEW ORLEANS, LOUISIANA 70130**  
**TEL. (504) 522-0077**  
**FAX (504) 522-0078**

---

**Firm Resume**

---

Odom & Des Roches, LLP, engages in multi-party litigation of complex civil matters throughout the United States. The firm's clients include local businesses, national and international companies, and private individuals.

The lawyers of Odom & Des Roches, LLP, have particular depth of experience in antitrust litigation, corporate litigation, and pharmaceutical industry litigation. The firm routinely handles complex class action cases and other matters both inside and outside the Multi-District Litigation context. The firm's partners have served as lead trial counsel in several national antitrust class cases that have gone to trial in various federal courts around the country. The firm also maintains an active defense practice, and regularly represents an international accounting firm and other business interests.

The firm has been intimately involved in, among others, the following national antitrust class action and non-class action cases:

- *In re TriCor Direct Purchaser Antitrust Litig.*, Civil Action No. 05-340, D. Del. (district court appointment to plaintiffs' executive committee representing Sherman Act Class Plaintiffs; served as lead trial counsel) (district court-approved settlement of \$250,000,000).
- *In re Buspirone Antitrust Litig.*, MDL Docket No. 1410, S.D.N.Y. (district court appointment to steering committee representing Sherman Act Class Plaintiffs) (district court-approved settlement of \$220,000,000).



- *In re Cardizem CD Antitrust Litig.*, MDL Docket No. 1278, E.D. Mich. (district court appointment to discovery committee representing Sherman Act Class Plaintiffs) (district court-approved settlement of \$110,000,000).
- *In re Relafen Antitrust Litig.*, Master File No. 01-12239, D. Mass. (counsel for Sherman Act Class plaintiffs) (district court-approved settlement of \$175,000,000).
- *In re Brand Name Prescription Drugs Antitrust Litig.*, Civil Action No. 94-C-897, E.D.N.Y. (representation of 3,800 non-class independent retail pharmacy operations) (private settlements reached with many defendants).
- *In re Terazosin Hydrochloride Antitrust Litig.*, MDL Docket No. 1317, S.D. Fla. (counsel for Sherman Act Class Plaintiffs) (district court-approved settlement of \$72,500,000).
- *Natchitoches Parish Hospital Service District, et al. v. Tyco International (US), et al.*, Civil Action No. 05-12024, D. Mass. (counsel for Sherman Act Class plaintiffs; served as lead trial counsel) (district court-approved settlement of \$32,500,000).
- *In re Remeron Antitrust Litig.*, Civil Action No. 03-CV-0085, D.N.J. (counsel for Sherman Act Class Plaintiffs) (district court-approved settlement of \$75,000,000).
- *Meijer, Inc. et al. v. Abbott Laboratories*, Civil Action No. 4:07-cv-05985, N.D. Cal. (counsel for Sherman Act Class Plaintiffs)(district court-approved settlement of \$52,000,000).
- *In re K-Dur Antitrust Litig.*, MDL Docket No. 1419, D.N.J. (district court appointment to executive committee representing Sherman Act Class Plaintiffs; case pending).
- *In re Ciprofloxacin Hydrochloride Antitrust Litig.*, MDL Docket No. 1383, E.D.N.Y. (district court appointment to executive committee representing Sherman Act Class Plaintiffs).
- *In re Hypodermic Direct Purchaser Antitrust Litig.*, Civil Action No. 05-1602, D.N.J. (district court appointment to executive committee representing Sherman Act Class Plaintiffs (district court-approved settlement of \$45,000,000).
- *In re AndroGel Antitrust Litig.*, Civil Action No. 09-md-2084, N.D. Ga. (district court appointment to executive committee for Sherman Act Class Plaintiffs; case pending).

- *King Drug of Florence, Inc., et al. v. Cephalon, Inc., et al.*, Civil Action No. 2:06-cv-01797, E.D. Pa. (district court appointment to executive committee for Sherman Act Class Plaintiffs; case pending).
- *In re Nexium (Esomeprazole) Antitrust Litig.*, Civil Action No. 1:12-md-02409, D. Mass. (counsel for Sherman Act Class Plaintiffs; case pending).
- *In re Lipitor Antitrust Litig.*, Civil Action No. 3:12-cv-2389, D.N.J. (counsel for Sherman Act Class Plaintiffs; case pending).
- *In re Lamictal Direct Purchaser Antitrust Litig.*, Civil Action No. 2:12-cv-00995 D.N.J. (counsel for Sherman Act Class Plaintiffs; case pending).
- *In re Adderall XR Antitrust Litig.*, Civil Action No. 12-cv-3711, S.D.N.Y. (counsel for Sherman Act Class Plaintiffs; case pending).
- *In re Prograf Antitrust Litig.*, Civil Action No. 1:11-md-02242, D. Mass. (counsel for Sherman Act Class Plaintiffs; case pending).
- *In re: Suboxone (Buprenorphine Hydrochloride and Nalaxone) Antitrust Litig.*, MDL No. 2445, E.D. Pa. (counsel for Sherman Act Class Plaintiffs; case pending).

The core of the firm's philosophy and practice is its commitment and ability to try jury cases, and its lawyers structure their strategy from the outset of an engagement with an eye towards eventual appearances in the courtroom for motion practice and jury trials. It is the firm's philosophy and experience that being prepared for the rigors of motion practice and trial maximizes the opportunities for the client to obtain favorable results. In addition to its active jury trial practice, the firm has extensive appellate experience, and its senior partner argued and won the unanimous reversal of a federal circuit court of appeals before the United States Supreme Court. Odom & Des Roches, LLP, which is rated "AV" by Martindale-Hubbell, maintains offices in New Orleans, Louisiana and Hahira, Georgia. The firm is listed in Martindale-Hubbell's "Bar Register of Preeminent Lawyers".

## PARTNERS

**John Gregory Odom, PLC.** Mr. Odom was born in Hahira, Lowndes County, Georgia on November 29, 1951, and was admitted to the bar of the State of Georgia in 1978, the District of Columbia in 1982, and the State of Louisiana in 1983. He is also admitted to the bars of numerous United States District Courts and Courts of Appeals throughout the country, as well as the United States Supreme Court. He practiced with a leading Savannah firm for several years, and was a business litigation partner in the second-largest firm in Louisiana for seven years before leaving to

form his own firm in 1990.

Mr. Odom was educated at Yale University (B.A., cum laude, 1973); The Queen's College, Oxford University (B.A. (hons.), 1975; M.A., 1981); and the University of Virginia School of Law (J.D., 1978). He is the author of "Recent Developments in Litigation Under the Racketeer Influenced and Corrupt Organizations Act and Federal Securities Law," Manual of Recent Developments in the Law, Louisiana State Bar Association, 1987-1990, and "Creative Applications of Civil RICO," 11 Am. J. Trial Adv. 245, Fall, 1987. His regular areas of practice include corporate litigation; healthcare industry litigation; securities litigation; RICO litigation; professional liability litigation; class action litigation; and antitrust litigation.

**Stuart E. Des Roches.** Mr. Des Roches was born in New Orleans, Louisiana on August 12, 1966, and was admitted to the bar for the State of Louisiana in 1992. He has practiced continuously with Mr. Odom since 1992 and was made a partner in the firm in 1998. He is admitted to practice in numerous United States District Courts and Courts of Appeals throughout the country, as well as the United States Supreme Court. Mr. Des Roches was educated at the University of New Orleans (B.A., 1989), and Tulane University School of Law (J.D., 1992), and is a member of the New Orleans, Louisiana, and American Bar Associations, and the United States Supreme Court Historical Society.

Mr. Des Roches has routinely practiced antitrust law for the past twenty years, and has particular experience in antitrust litigation relating to the Hatch-Waxman Act, the pharmaceutical industry, and medical devices. Mr. Des Roches served as the lead trial lawyer for the class of direct purchasers in *In re Tricor Direct Purchaser Antitrust Litigation* (D. Del.), which resulted in the largest settlement to date of a Hatch-Waxman antitrust case (\$250,000,000) after commencement of trial. He also served as co-lead trial counsel with the firm's partner Mr. Kelly in *Natchitoches Parish Hospital Service District, et al. v. Tyco Healthcare, et al.* (D. Mass.), which settled for \$32,500,000 after three weeks of trial and on the eve of closing arguments. He has also been involved in various other litigation matters, including numerous trials, in the areas of general business and accountant's liability defense.

**Andrew W. Kelly.** Mr. Kelly was born in Bellefonte, Pennsylvania on December 6, 1966, and was admitted to the bar for the States of California and Louisiana in 1994. He is admitted to practice in the United States District Courts for the Eastern, Middle, and Western Districts of Louisiana, and the Southern District of California; and the United States Court of Appeals for the Fifth Circuit. Mr. Kelly was educated at the University of California at Berkeley (B.A., 1988), and the University of San Diego School of Law (J.D., 1994). He served as law clerk to the Honorable John Minor Wisdom, of the United States Court of Appeals for the Fifth Circuit. His regular areas of practice include business litigation; class action litigation; and antitrust litigation. Along with Mr. Des Roches, Mr. Kelly served as co-lead trial counsel for the class of direct purchasers in *Natchitoches Parish Hospital Service District, et al. v. Tyco Healthcare, et al.* (\$32,500,000 settlement three weeks into trial). He is also available for counseling on criminal defense matters.

## ASSOCIATES

**John E. Fitzpatrick, III.** Mr. Fitzpatrick was born in New Orleans, Louisiana on May 9, 1968. He earned a J.D. from Loyola University School of Law in 2006, and received a Bachelor of Arts degree from Loyola University in 2001. Mr. Fitzpatrick is admitted to practice before the Louisiana Supreme Court and the several courts of the State of Louisiana. He is also admitted to practice in all United States District Courts in Louisiana, and the Fifth Circuit Court of Appeals. He actively participates in the firm's antitrust litigation practice.

**Chris Letter.** Mr. Letter was born in Philadelphia, Pennsylvania on August 30, 1974. He earned a J.D. from Loyola University of New Orleans School of Law in 2007 and received a Bachelor of Arts degree in history from the University of New Orleans in 1998. Mr. Letter is admitted to practice in the Louisiana Supreme Court and the several courts of the State of Louisiana. He is also admitted to practice in the United States District Courts in Louisiana, and the Fifth Circuit Court of Appeals. He actively participates in the firm's antitrust litigation practice.

**Annie M. Schmidt.** Ms. Schmidt was born in New Orleans, Louisiana on May 11, 1985. She earned a J.D. from Loyola University School of Law in 2010, and received a Bachelor of Arts degree from Spring Hill College in 2007. Ms. Schmidt is admitted to practice before the Louisiana Supreme Court and the several courts of the State of Louisiana. She actively participates in the firm's antitrust litigation practice.

## OF COUNSEL

**Craig M. Glantz.** Mr. Glantz was born in New York, New York on March 15, 1971. He was admitted to the bar of the State of California in 1999 and the States of New York and Massachusetts in 2000. He received a B.A. in History from Tufts University in 1993, where he graduated *magna cum laude* and earned membership in *Phi Beta Kappa*. He received a J.D. from Northwestern University School of Law in 1998, where he graduated *cum laude* and received the Arlyn Miner Book Award for excellence in Legal Writing. Following law school, Mr. Glantz served as a judicial law clerk to the Honorable John Minor Wisdom of the United States Court of Appeals for the Fifth Circuit and then practiced with a prominent international law firm. Mr. Glantz has a range of experience in a variety of areas, including business litigation, real estate and corporate transactions.

\*\*\*\*\*