

# **EXHIBIT 15-B**

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

In re: NEXIUM (ESOMEPRAZOLE)  
ANTITRUST LITIGATION

MDL No. 2409

Civil Action No. 1:12-md-02409-WGY

This Document Relates To:

All Actions

**DECLARATION OF SUSAN C. SEGURA IN SUPPORT OF  
DIRECT PURCHASER PLAINTIFFS' MOTION FOR INCENTIVE AWARDS**

I, Susan C. Segura, do declare, as follows:

1. I am a partner at the law firm of Smith Segura & Raphael, LLP. I was specially admitted to practice before the bar of this Court in this case *pro hac vice* pursuant to the Order of this Court entered on January 30, 2013 (Docket No. 108). I submit this declaration in support of Direct Purchaser Plaintiffs' Motion for Issuance of Incentive Awards and, in particular, the issuance of an award to direct purchaser class representatives, Value Drug Company ("Value Drug") and Burlington Drug Company ("Burlington Drug").

2. My firm is counsel to Value Drug and Burlington Drug in this action, together with Garwin Gerstein & Fisher, LLP, Odom & Des Roches, L.L.P., and Heim, Payne & Chorush, L.L.P.

3. Burlington Drug is a drug wholesaler and direct purchaser of Nexium. It is located in Milton, Vermont.

4. Value Drug is a drug wholesaler located in Altoona, Pennsylvania. It is also a direct purchaser of Nexium.

5. In the course of this action, both Value Drug and Burlington Drug actively participated in this matter and devoted significant time, effort, and resources fulfilling their duties as named plaintiffs and class representatives.

6. Value Drug and Burlington Drug filed their complaint on September 4, 2012 in the District of New Jersey, and pursued the case as class representatives through trial.

7. In the course of discovery in this case, Value Drug and Burlington Drug collected, reviewed, and produced documents and data responsive to defendants' Rule 34 requests, ultimately producing hundreds of pages of documents and over 260,000 lines of electronic transactional data. These efforts consumed many hours over the course of several months by information technology personnel and other personnel at Burlington Drug and Value Drug. During that time, these efforts required personnel at Burlington Drug and Value Drug to divert their attention from their day-to-day business activities.

8. Gregory A. Drew, Value Drug's President, also appeared for a full-day deposition on August 7, 2013 and was examined by counsel for defendants. Because the deposition was noticed pursuant to Rule 30(b)(6), Mr. Drew was required to invest substantial time preparing for the deposition, diverting his attention from Value Drug's operations.

9. John Mitiguy, Burlington Drug's President, also appeared for a full-day deposition on August 13, 2013 and was examined by counsel for defendants. Because the deposition was noticed pursuant to Rule 30(b)(6), Mr. Mitiguy was required to invest substantial time preparing for the deposition, diverting his attention from Burlington Drug's operations.

10. Gregory A. Drew of Value Drug also planned to testify at the trial in this case originally scheduled for March 3, 2014 and then held in Boston, Massachusetts in October 2014 and prepared for his testimony on both of those occasions.

11. Margaret M. Glazier of Burlington Drug also traveled from Burlington, Vermont to Boston, Massachusetts in October 2014 and attended a portion of the trial.

12. Throughout the litigation, Value Drug and Burlington Drug, including in particular Mr. Drew and Ms. Glazier, monitored the progress of the case through receipt of reports of counsel, as well as key pleadings and decisions of the Court, to discharge their duty to the absent class members whom they represented.

13. Accordingly, the incentive awards requested to be issued to Value Drug, Burlington Drug and all direct purchaser class representatives is reasonable and well-deserved.

14. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on September 15, 2015

  
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SUSAN C. SEGURA