

EXHIBIT 15-E

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

In re: NEXIUM (ESOMEPRAZOLE)
ANTITRUST LITIGATION

MDL No. 2409

C.A. No. 1:12-md-02409-WGY

This Document Relates To:

ALL DIRECT PURCHASER ACTIONS

**DECLARATION OF DAVID P. GERMAINE IN SUPPORT OF
DIRECT PURCHASER PLAINTIFFS' MOTION FOR SERVICE AWARDS**

David P. Germaine, being sworn, declares as follows:

1. I am a partner at the law firm of Vanek Vickers & Masini PC. I appeared and was admitted to practice before this Court in this case *pro hac vice* in light of J.P.M.L. Rule 2.1(c). I submit this declaration in support of Direct Purchaser Plaintiffs' Motion for Issuance of Service Awards and, in particular, the issuance of an award to direct purchaser class representatives Meijer Inc. and Meijer Distribution Inc. ("Meijer").

2. My firm is counsel to Meijer in this action.

3. Meijer owns and operates supercenter stores which sell a diverse range of items such as, among many other products, groceries, fresh produce, pharmaceuticals, lawn care equipment, sporting goods, toys, clothing, books, music, furniture and electronics.

4. Meijer operates throughout the Midwestern United States, with over 200 stores in Michigan, Illinois, Indiana, Ohio, Wisconsin and Kentucky.

5. In the course of this action, Meijer devoted extensive time, effort, and resources to fulfilling its duties as a named plaintiff and class representative.

6. Meijer filed its complaint on August 28, 2012 with this Court and pursued the case individually and in concert with other direct purchaser class representatives through trial.

7. Meijer searched for, retrieved, and produced documents and data responsive to Defendants' document requests. In total, Meijer produced close to 100,000 pages of documents and more than 164,000 lines of purchase data. In so doing, Meijer diverted the attention of its information technology and pharmaceutical purchasing employees. Meijer also occupied its computing resources ordinarily devoted to Meijer's business activities.

8. In addition to its document production, a representative of Meijer appeared for a full day deposition and was examined by counsel for the Defendants. Because the deposition was noticed pursuant to Rule 30(b)(6), the Meijer representative was required to invest substantial time preparing for the deposition, including reviewing documents and meeting with counsel and other Meijer employees. In addition, Meijer's representative was required to travel 180 miles from his normal place of business and spend time away from his business and personal affairs in order to appear for his deposition.

9. Although no one from Meijer was ultimately called as a witness at trial, Meijer invested time in preparation for trial, both in advance of the original trial date and again in advance of the continued date.

10. In addition to its efforts in connection with discovery and trial preparation, Meijer also contributed its knowledge of industry practices and, in particular, the timing of generic entry of pharmaceuticals, to assist with counsel's prosecution of the case.

11. Throughout the litigation, Meijer monitored case developments through receipt of regular reports of counsel, special reports as needed, and key pleadings and decisions of the Court.

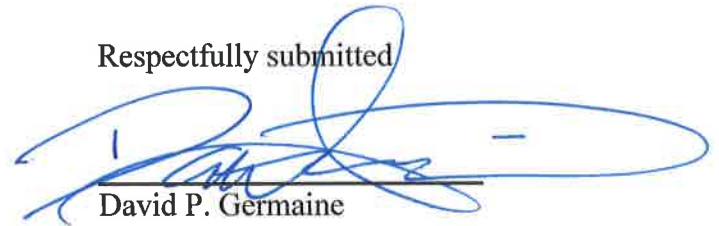
12. By agreeing to serve as a class representative in an action against its suppliers, and exposing itself to repercussions of being the public face of a high-stakes lawsuit, Meijer also

risked negative consequences. While Meijer did not face any of these negative outcomes, the risk of adverse consequences and lost opportunities nonetheless existed.

13. For the reasons detailed herein, the service awards requested to be issued to Meijer and all direct purchaser counsel is reasonable and well-deserved.

Dated: September 14, 2015

Respectfully submitted



David P. Germaine