

# **EXHIBIT 1**

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

*In re K-Dur Antitrust Litigation*

This document relates to:

All Direct Purchaser Actions

Civil Action No. 01-cv-1652(SRC)(CLW)  
MDL Docket No. 1419

**AFFIDAVIT OF MICHAEL ROSENBAUM REGARDING ESCROW ACCOUNT**

I, Michael Rosenbaum, under penalty of perjury under the laws of the United States of America, declare as follows:

1. I am Managing Director of Berdon Claims Administration LLC, Court-approved Directed Escrow Agent concerning the settlement between the Direct Purchaser Class Plaintiffs (“DPCPs”) and the Defendants in the above-captioned litigation. As such, I am personally fully familiar with the facts described herein.

2. This affidavit is submitted to describe the status of the escrow account holding the settlement fund.

3. Pursuant to Paragraph 10(a) of the Settlement Agreement and Paragraph 3(a) of the Escrow Agreement, Defendants deposited the Settlement Fund Amount of Sixty Million, Two Hundred Thousand Dollars and no/100 (\$60,200,000.00) in cash into the escrow account.

4. Pursuant to Paragraph 3(b) of the Escrow Agreement, on June 14, 2017, Berdon directed UBS Financial Services, Inc. (“UBS”) to invest and reinvest the Settlement Fund Amount in the United States Treasury Bills or other similar United States government obligations or federally insured bank certificates of deposit until the Settlement becomes final

per Paragraph 9 of the Settlement Agreement. A minimum of \$10,000.00 will continue to be held in UBS's FDIC-insured Bank Deposit, so that it may be made available to cover any notice costs to the Direct Purchaser Class per paragraph 3(c) of the Escrow Agreement. All interest that has been earned on the Settlement Fund has become part of the Settlement Fund.

The foregoing statements are true and correct to the best of my knowledge, information and belief.



MICHAEL ROSENBAUM

Sworn to before me this 12 day of July, 2017



NOTARY PUBLIC

**ANIBAL DASTAS**  
**NOTARY PUBLIC, State of New York**  
01DA6084268  
Qualified in Queens County  
Commission Expires December 2, 2018