

**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

**NOTICE OF MOTION IN SUPPORT OF DIRECT PURCHASER CLASS PLAINTIFFS’
UNOPPOSED MOTION FOR CERTIFICATION OF A SETTLEMENT CLASS,
APPOINTMENT OF CLASS COUNSEL, PRELIMINARY APPROVAL OF PROPOSED
SETTLEMENT, APPROVAL OF THE FORM AND MANNER OF NOTICE TO THE
CLASS AND PROPOSED SCHEDULE FOR A FAIRNESS HEARING**

Pursuant to Federal Rule of Civil Procedure 23, Direct Purchaser Class Plaintiffs (“DPC Plaintiffs”) respectfully move for entry of the Preliminary Approval Order proposed herewith (Exhibit A to the Settlement Agreement annexed to the Declaration of Bruce E. Gerstein) which provides for:

- (a) Certification of a settlement class;
- (b) Appointment of Class Counsel for the settlement class;
- (c) Preliminary approval by the Court of a proposed Settlement Agreement between DPC Plaintiffs and Defendants Mylan Pharmaceuticals, Inc. and Mylan Laboratories, Inc. (now known as Mylan Inc.) (collectively, “Mylan”);
- (d) Approval of the proposed form and manner of notice to the Class;
- (e) Approval of the proposed Escrow Agreement between DPC Plaintiffs, Mylan and Berdon Claims Administration LLC; and

- (f) The establishment of a proposed schedule leading up to and including the Fairness Hearing.

In support of this motion, DPC Plaintiffs rely upon the accompanying Memorandum of Law and Declaration of Bruce E. Gerstein (and exhibits thereto).

February 3, 2017

Respectfully submitted,

By: /s/ Bruce E. Gerstein
Bruce E. Gerstein
GARWIN GERSTEIN & FISHER LLP
Joseph Opper
Kimberly Hennings
88 Pine Street, 10th Floor
New York, NY 10005
Tel: (212) 398-0055
Fax: (212) 764-6620

*Lead Counsel for Plaintiffs in the King Drug Direct
Purchaser Action*

<p>BERGER & MONTAGUE, P.C. Daniel Berger David F. Sorensen Eric L. Cramer Daniel C. Simons 1622 Locust Street Philadelphia, PA 19103 Tel: (215) 875-3000 Fax: (215) 875-4604</p> <p><i>Liaison Counsel and Member of the Executive Committee for Plaintiffs in the King Drug Direct Purchaser Action</i></p>	<p>NASTLAW, LLC Dianne M. Nast Erin C. Burns 1101 Market Street, Suite 2801 Philadelphia, PA 19107 Tel: (215) 923-9300 Fax: (215) 923-9302</p> <p><i>Counsel for Stephen L. LaFrance Holdings, Inc. and Stephen L. LaFrance Pharmacy, Inc. d/b/a SAJ Distributors</i></p>
<p>ODOM & DES ROCHES, L.L.P. Stuart E. Des Roches 650 Poydras Street, Suite 2020 New Orleans, LA 70130 Tel: (504) 522-0077 Fax: (504) 522-0078</p> <p><i>Executive Committee for Plaintiffs in the King Drug Direct Purchaser Action</i></p>	<p>FARUQI & FARUQI LLP Peter Kohn 101 Greenwood Avenue, Suite 600 Jenkintown, PA 19046 Tel: (215) 277-5770 Fax: (215) 277-5771</p> <p><i>Counsel for Rochester Drug Co-Operative, Inc.</i></p>
<p>SMITH SEGURA & RAPHAEL, LLP David P. Smith Susan C. Segura 3600 Jackson Street, Suite 111 Alexandria, LA 71303 Tel: (318) 445-4480 Fax: (318) 487-1741</p> <p><i>Executive Committee for Plaintiffs in the King Drug Direct Purchaser Action</i></p>	<p>HEIM PAYNE & CHORUSH, LLP Russell Chorush 1111 Bagby, Suite 2100 Houston, TX 77002 Tel: (713) 221-2000</p> <p><i>Counsel for Plaintiffs in the King Drug Direct Purchaser Class Action</i></p>
<p>NUSSBAUM LAW GROUP, P.C. Linda P. Nussbaum 570 Lexington Ave. New York, NY 10022 Tel: (212) 702-7054 Fax: (914) 874-7152</p> <p><i>Counsel for Plaintiffs Meijer, Inc. and Meijer Distribution, Inc. and Executive Committee for Plaintiffs in the King Drug Direct Purchaser Action</i></p>	