

# **EXHIBIT 13**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF CONNECTICUT**

<b>IN RE: AGGRENOX ANTITRUST LITIGATION</b>	<b>Master Docket No. 3:14-cv-02516 (SRU)</b>  <b>Judge Stefan R. Underhill</b>
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**DECLARATION OF SUSAN C. SEGURA ON BEHALF OF SMITH SEGURA &  
RAPHAEL, LLP IN SUPPORT OF CLASS COUNSEL'S MOTION FOR AN AWARD  
OF ATTORNEYS' FEES, REIMBURSEMENT OF EXPENSES AND INCENTIVE  
AWARDS TO CLASS REPRESENTATIVES**

I, Susan C. Segura, under penalty of perjury under the laws of the United States of America, declare as follows:

1. I am a partner of the law firm Smith Segura & Raphael, LLP. I am submitting this declaration in support of Class Counsel's motion for attorneys' fees and reimbursement of expenses in connection of services rendered by Smith Segura & Raphael, LLP in the above-captioned litigation. A copy of my firm's resume is attached hereto as Exhibit 1. The factual matters set forth and the assertions made herein are true and correct to the best of my knowledge, information and belief.

2. Smith Segura & Raphael, LLP has been significantly involved in this litigation from its inception to the present day. Our firm initiated the case development investigation of the settlement between Boehringer and Teva and prepared the initial drafts of the first complaint filed by any plaintiff or plaintiff group alleging an anticompetitive reverse payment between

Boehringer and Teva. At the commencement of the litigation in 2013, our firm negotiated and consummated an engagement agreement with longstanding client Miami-Luken, Inc. (“Miami-Luken”), and we have regularly communicated with the principals of Miami-Luken throughout the litigation to keep them informed of all developments in the case. The firm’s extensive involvement in the development and prosecution of the Direct Purchasers’ claims in the case also included participation in proceedings before the Judicial Panel on Multidistrict Litigation, including drafting pleadings and assisting with oral argument before the panel; involvement in motion practice concerning Case Management Order No. 1; briefing on several motions to dismiss filed by the defendants; investing extensive attorney and paralegal resources reviewing, coding, and analyzing defendants’ document productions as part of the agreements team, including conducting targeted searches of those documents and assisting with the drafting of white paper for the team, participating in drafting discovery requests directed to defendants, and assisting in preparation for depositions of various defendant witnesses; drafting initial disclosures and coordinating production of transactional data by Miami-Luken and the other direct purchaser plaintiffs in conjunction with initial disclosures; conducting extensive reviews of defendants’ privilege logs for questionable entries and/or redactions; managing and coordinating discovery and document production by Miami-Luken and the other direct purchaser plaintiffs, including drafting responses to defendants’ discovery requests by Miami-Luken and the other direct purchaser plaintiffs, drafting various communications and participating in numerous meet-and-confer discussions with counsel for defendants, participating in numerous conference calls and frequently corresponding with co-counsel regarding discovery directed to direct purchaser plaintiffs, drafting oppositions to several motions to compel filed by the

defendants, participating in oral argument before the Court on those motions to compel, coordinating Miami-Luken's search and collection of responsive data and documents, conducting attorney review of Miami-Luken's data and documents for production; participating in numerous conference calls and frequently corresponding with co-counsel regarding case management and litigation strategies; managing and coordinating discovery directed to third party accounting firms, including review and analysis of documents produced by those third parties; performing legal research related to various aspects of the litigation; preparing for and participating in the two-day mediation session held in May 2017; and participating in and conferring with class representative Miami-Luken in connection with those settlement negotiations.

3. All attorneys and paralegals at my firm were instructed to keep contemporaneous time records reflecting their time spent on this case.

4. The schedule below is a summary of the amount of time spent by my firm's attorneys and paralegals from the inception of the litigation through September 6, 2017, the date that the motion seeking preliminary approval of the Settlement was filed with the Court.

5. The schedule was prepared from contemporaneous, daily time records regularly prepared and maintained by my firm. Time expended in preparing this application for fees and reimbursement of expenses has not been included in this request.

<b>Name</b>	<b>Status</b>	<b>Total Hours</b>	<b>Current Hourly Rate</b>	<b>Total Lodestar</b>
David P. Smith, APLC	Partner	70.70	\$750	\$53,025.00
David C. Raphael, Jr.	Partner	482.70	\$605	\$292,033.50
Susan C. Segura	Partner	789.60	\$600	\$473,760.00

Brian D. Brooks	Partner	92.60	\$565	\$52,319.00
Erin R. Leger	Partner	923.30	\$525	\$484,732.50
Betty R. Owens	Contract Attorney	27.20	\$475	\$12,920.00
Mittie J. Bolton	Associate	228.50	\$425	\$97,112.50
Michael L. Martin	Associate	183.00	\$350	\$64,050.00
Olga Fort	Contract Attorney	132.90	\$350	\$46,515.00
Kristel A. Horne	Contract Attorney	9.00	\$350	\$3,150.00
Mark Windham	Former Paralegal	105.60	\$200	\$21,120.00
Megan Lord	Former Paralegal	14.90	\$165	\$2,458.50
Nancy Blackwell	Paralegal	223.00	\$155	\$34,565.00
Carolee Neal	Former Paralegal	29.30	\$150	\$4,395.00
Donna Thompson	Paralegal	4.00	\$135	\$ 540.00
David Cannon	Paralegal	5.70	\$135	\$ 769.50
<b>Total</b>		<b>3,322.00</b>		<b>\$1,643,465.50</b>

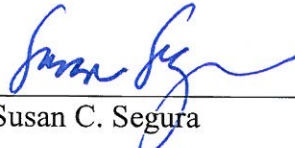
6. My firm has also incurred a total of \$117,327.13 in unreimbursed expenses in connection with the prosecution of the litigation. These expenses were reasonably and necessarily incurred in connection with this litigation and include:

<b>Expense</b>	<b>Amount</b>
Telephone/Teleconference/Facsimile	\$4,609.21
Photocopies - In-House	\$2,495.40
Photocopies - Outside	\$0.00

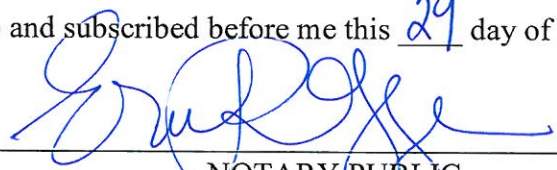
Postage/Express Mail /Messengers	\$161.03
Filing Fees/Court Cost	\$80.00
Research	\$3,538.69
Travel/Hotel/Meals	\$7,916.65
Litigation Fund Assessments	\$95,000.00
Other/ Witness Fees/Third Party Document Production	\$3,526.15
<b>TOTAL</b>	<b>\$117,327.13</b>

7. The expenses incurred in this action are also reflected on the books and records of my firm. These books and records are prepared from expense vouchers, receipts and other source material and accurately record the expenses incurred.

Dated: September 29, 2017

  
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 Susan C. Segura

Sworn to and subscribed before me this 29 day of September, 2017.

  
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 NOTARY PUBLIC



# SMITH SEGURA & RAPHAEL, LLP

A LAW FIRM INCLUDING A LIMITED LIABILITY COMPANY

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## FIRM RESUME

September 2017

Smith Segura & Raphael, LLP, is a law firm headquartered in Alexandria, Louisiana. The firm's principal area of practice is class action antitrust litigation. The clients of the firm include local businesses, national and international companies, and private individuals.

The firm's attorneys have been extensively involved in numerous complex multi-party lawsuits, including *In Re: Brand Name Prescription Drugs Antitrust Litigation*, MDL 996 (N.D. Ill.); complex and diverse class actions such as *Northwest Airlines, Inc., et al., Antitrust Litigation* (S.D. Mich.); *Cardizem Antitrust Litigation*, MDL 1278 (S.D. Mich); *Hytrin Antitrust Litigation*, MDL 1317 (S.D. Fla.); *Cipro Antitrust Litigation*, MDL 1382 (E.D.N.Y.); *Bupirone Antitrust Litigation*, MDL 1410 (D.D.C); *K-Dur Antitrust Litigation*, MDL 1419 (D.N.J.); *In Re: Relafen Antitrust Litigation*, 01-cv-12239 (D. Mass); *Neurontin Antitrust Litigation*, MDL 1479 (D.N.J.); *Remeron Antitrust Litigation*, 03-cv-0085 (D.N.J.); *Independent Drug Co. v. Biovail Corporation, et al (Adalat CC Antitrust Litigation)* (D.D.C.); *In re: OxyContin Antitrust Litigation*, MDL 04-md-1603 (S.D. N.Y.); *Louisiana Wholesale Drug Company, Inc, et a. v. Biovail Corporation et al (Tiazac Antitrust Litigation)* (D.D.C.); *Louisiana Wholesale Drug Company, Inc. v. Abbott Laboratories, et al (TriCor Antitrust Litigation)*, 05-cv-340 (D. Del.); *In re: Hypodermic Products Antitrust Litigation*, MDL No. 1730 (D.N.J.); *Louisiana Wholesale Drug Company, Inc. v. Ferring B.V., et al (DDAVP Antitrust Litigation)* (S.D.N.Y.); *Natchitoches Parish Hospital Service District v. Tyco International, LTD, et al (Pulse Oximeter Antitrust Litigation)* (C.D. Cal.); *Natchitoches Parish Hospital Service District v. Tyco International, LTD, et al (Sharps Containers Antitrust Litigation)*, 05-cv-12024 (D. Mass.); *Louisiana Wholesale Drug Company, Inc. v. Warner Chilcott Limited Company, et al (Ovcon 35 Antitrust Litigation)* (D.D.C.); *King Drug Company of Florence, Inc. v. Cephalon, Inc., et al (Modafinil Antitrust Litigation)*, 06-cv-1797 (E.D. Pa.); *William Rosenstein & Sons, et al v. Eastern Mushroom Marketing Cooperative, Inc., et al (Mushrooms Antitrust Litigation)*, 06-cv-620 (E.D. Pa.); *Texas Grain Storage, Inc., et al v. Monsanto Company*, 07-cv-0673 (W.D. Tex.); *In re: Nexium Antitrust Litigation*, MDL 12-md-2409 (D.Mass.); *Rochester Drug Co-Operative, Inc., et al v. Braintree Laboratories, Inc. (Miralax Antitrust Litigation)* (D. Del.); *Delaware Valley Surgical Supply Co., Inc., et al v. Ethicon, Inc. et al (Endosurgical Antitrust Litigation)*, 05-cv-8809 (C.D. Cal.); *Louisiana Wholesale Drug Co., Inc. v. Sanofi Aventis, et al (Arava Antitrust Litigation)* (S.D.N.Y.); *Meijer, Inc., et al v. Abbott Laboratories, et al (Norvir Antitrust Litigation)*, 07-cv-5985 (N.D. Cal.); *Dik Drug Co., et al v. Altana Pharma Ag, et al (Protonix Antitrust Litigation)* (D.N.J.); *Meijer, Inc., et al v. Unimed Pharmaceuticals, Inc. et al (Androgel Antitrust Litigation)* (N.D. Ga.); *In re: Prograf Antitrust Litigation*, 11-cv-2242 (D. Mass.); *Burlington Drug Company, Inc., et al v. Pfizer, Inc., et al (In re Lipitor Antitrust Litigation)*, 12-cv-2389 (D.N.J.); *Louisiana Wholesale Drug Company, Inc., et al v. SmithKline Beecham, et al (Lamictal Antitrust Litigation)*, 12-cv-0995 (D.N.J.); *Louisiana Wholesale Drug Company, Inc. v. Shire LLC, and Shire U.S., Inc. (Adderall XR Antitrust Litigation)*, 12-cv-3711 (S.D.N.Y.); *In re: Niaspan Antitrust Litigation*, MDL 13-md-2460 (E.D. Pa.); *In re: Suboxone Antitrust Litigation*, MDL 13-md-2445 (E.D.



Pa.); *In re: Aggrenox Antitrust Litigation*, MDL 14-md-2516 (D.Conn.); *In re: Lidoderm Antitrust Litigation*, MDL 14-md-2521 (N.D. Ca.); *In re: In re: Opana ER Antitrust Litigation*, MDL-2580 (N.D. IL); *In re Namenda Antitrust Litigation*, 15-cv-7488 (S.D.N.Y.); and *In re Asacol Antitrust Litigation*, 1:15-cv-12730 (D. Mass.).

## PARTNERS OF THE FIRM

**DAVID P. SMITH, LLC**, born in Lecompte, Louisiana; admitted to bar, 1968, Tennessee; 1971, Louisiana; U.S. Court of Military Appeals and U.S. Tax Court; 1974, U.S. Supreme Court. Education: Louisiana State University and A. and M. College (B.A., 1964); University of Tennessee at Knoxville (J.D., 1967). Capt., JAGC, USMCR, 1968-1971. Tax Attorney, Office of the Chief Counsel, Internal Revenue Service, 1971-1976. Member: Louisiana State and American Bar Associations. Committees: Louisiana Bar Association Committees, including service on the Multi-Jurisdictional Practice Committee. Areas of Practice: Diverse state and federal litigation, including complex multi-party litigation, as well as commercial and business torts.

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