

EXHIBIT 14

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

**IN RE: AGGRENEX
ANTITRUST LITIGATION**

Master Docket No. 3:14-cv-02516 (SRU)

Judge Stefan R. Underhill

**DECLARATION OF JOHN RADICE IN SUPPORT OF CLASS COUNSEL'S MOTION
FOR AN AWARD OF ATTORNEYS' FEES, REIMBURSEMENT OF EXPENSES AND
INCENTIVE AWARDS TO CLASS REPRESENTATIVES**

I, John Radice, under penalty of perjury under the laws of the United States of America, declare as follows:

1. I am the founding partner of the Radice Law Firm, PC. 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 the Radice Law Firm, PC 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. My firm was engaged in the initial research and drafting of the complaint in this case.
3. All attorneys, paralegals and law clerks 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, paralegals and law clerks 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.

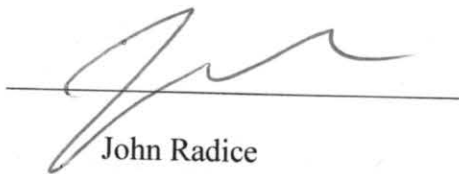
Name	Status	Total Hours	Current Hourly Rate	Total Lodestar
John Radice	P	8.7	\$675	\$5,872.50
Kenneth Pickle	A	7.5	\$475	\$3,562.50
Totals		16.20		\$9,435.00

6. My firm has also incurred a total of \$5,000.00 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:

Expense	Amount
Litigation fund contribution	\$5,000.00
Total	\$5,000.00

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: October 3, 2017



John Radice

EXHIBIT 1

RADICE LAW FIRM, PC

The Radice Law Firm PC was founded in 2012 to prosecute antitrust, False Claims Act, and other complex litigation. Attorneys at the firm have extensive experience in health care and other highly-regulated industries and are involved in all aspects of litigation, from initial case investigation through trial. We offer top-quality work, performed efficiently, with the focus and attention to clients that they deserve. Radice Law PC has been instrumental in developing new cases and, with co-counsel, investigated and filed the first complaint alleging a years-long conspiracy to fix margins in the market for dental supplies. Over sixty law firms subsequently filed similar cases and John Radice was appointed liaison counsel in that litigation, *In re Dental Supplies Antitrust Litigation*, No. 1:16-cv-00696-BMC-GRB (E.D.N.Y.).

Radice Law Firm PC has grown to six full-time attorneys from top schools including Harvard Law and NYU Law. Biographies of Radice Law Firm attorneys follow.

John Radice

John Radice founded the Radice Law Firm PC in 2012. Mr. Radice has associated with some of the largest and most-respected plaintiffs' firms in the country and has been a part of the litigation or trial teams in, *inter alia*, the following cases:

- *In re Dental Supplies Antitrust Litigation*, No. 1:16-cv-00696-BMC-GRB (E.D.N.Y.) (filed first case and appointed liaison in case alleging nationwide margin fixing conspiracy among dental suppliers).
- *In re Flonase Direct Purchaser Antitrust Litigation* (\$150 million settlement on the eve of trial in case alleging sham citizen petitioning to delay generic entry);
- *In re Skelaxin (metaxalone) Direct Purchaser Antitrust Litigation* (\$73 million settlement in case alleging delayed generic entry);
- *In re Norvir Direct Purchaser Antitrust Litigation* (\$52 million settlement following three days of trial in case alleging anticompetitive bundling of Norvir and Kaletra);
- *In re Puerto Rico Cabotage Antitrust Litigation* (\$52.25 million cash settlement plus price freeze option following alleged price fixing and market allocation);
- *In re Tricor Direct Purchaser Antitrust Litigation* (\$250 million settlement after the start of trial in case alleging delayed entry of generic versions of Tricor);
- *In re Neurontin Marketing & Sales Litigation* (resulting in a RICO jury verdict statutorily trebled to over \$142 million for the unlawful and fraudulent promotion of Neurontin);
- *United States ex rel. Piacentile v. Bristol-Myers Squibb Co.* (\$515 million qui tam settlement related to unlawful promotion of Abilify); and
- *United States ex rel. Marchese v. Cell Therapeutics, Inc.* (\$10.5 million qui tam settlement stemming from unlawful marketing of Trisonex).

Mr. Radice, either alone or with co-authors, frequently publishes articles on current topics in antitrust and False Claims Act law, including:

- [“Where do we go now? The Hatch-Waxman Act 25 Years Later: Successes, Failures, and Prescriptions for the Future,”](#) 41 Rutgers L. J. 229 (Fall 2009 & Winter 2010);
- “The False Claims Act: A Public-Private Partnership” in Volume II, in AAJ 2009 ANNUAL CONVENTION: AAJ EDUCATION REFERENCE MATERIALS 1497 (Jennifer Adams ed., 2009); and
- “Daubert and Rule 702 in the Context of Antitrust Economic Experts: A Practitioner’s Guide,” Daubert 15 Years Later: How Have Economists Fared (ABA Spring Meeting 2009).

Mr. Radice clerked for Judge Edith Brown Clement in the United States Court of Appeals for the Fifth Circuit in New Orleans following his graduation from New York University School of Law. Through the Arthur Garfield Hays Civil Liberties Program at NYU Law, where he was a Palmer Weber Fellow, Mr. Radice pursued internships at the NAACP Legal Defense & Education Fund, the ACLU, and a prominent civil rights law firm. At Princeton, where he graduated *magna cum laude*, Mr. Radice was a member of the lightweight crew team. Together with Dr. Lee Shearer, he founded and is president of Insicknessandinhealth.org, a non-profit dedicated to promoting health and well-being in underserved communities.

A. Luke Smith

Attorney A. Luke Smith joined Radice Law Firm PC as an associate in May 2014. Mr. Smith has considerable experience litigating all phases of complex antitrust class actions, from pre-filing investigations through post-trial briefing. Throughout his career, Mr. Smith has had the privilege of working alongside the nation's most preeminent plaintiffs law firms and lawyers, and has been part of the litigation or trial teams in, *inter alia*, the following cases:

- *In re Metoprolol Succinate Direct Purchaser Antitrust Litigation*, 06-52 (D. Del.) (\$20 million settlement in case challenging Astra-Zeneca conduct to delay generic entry)
- *In re Wellbutrin XL Antitrust Litigation*, No. 08-2431 (E.D. Pa.) (\$37.5 million partial settlement in case challenging the conduct of SmithKline Beecham Corp. and Biovail Laboratories in delaying generic drug competition)
- *In re Prandin Direct Purchaser Antitrust Litigation*, 10-12141AC-DAS (E.D. Mich.) (\$19 million settlement in case challenging Novo Nordisk's conduct to delay generic entry)
- *Marchese v. Cablevision Systems Corporation*, 2:10-cv-02190 (D.N.J.) (accusing Cablevision of illegally tying two-way cable services to rentals of a Cablevision-supplied set-top box)
- *In re Skelaxin (metaxalone) Direct Purchaser Antitrust Litigation*, 12-2343 (E.D. Tenn.) (\$73 million settlement in case alleging delayed generic entry)
- *In re Nexium (Esomeprazole) Antitrust Litigation*, 1:12-md-02409 (D. Mass.) (\$24 million partial mid-trial settlement in "pay-for-delay" case challenging agreements between AstraZeneca and generic competitors to delay generic entry)
- *Smith v. FDA*, 12-5141 (*pro se* case challenging FDA's public disclosure policies under FOIA)
- *In re Solodyn Antitrust Litig.*, No. 14-10438 (D. Mass.) (alleging that Medicis engaged in an anticompetitive scheme to delay generic competition)
- *In re Lidoderm Antitrust Litig.*, No. 14-2521 (N.D. Cal.) (alleging that Endo paid its generic competitor, Watson (now known as Actavis), to delay generic versions of Lidoderm.

Mr. Smith recently co-authored an article on abusive "life cycle management" practices in the pharmaceutical industry, "Life Cycle Management: The Courts Examine Brand Strategies to Defend Blockbuster Franchises" (ABA Antitrust Law Division, 63rd Spring Meeting, April 15-17, 2015).

Mr. Smith earned his J.D. from Pennsylvania State University Dickinson School of Law (2010), and graduated *summa cum laude* from Cheyney University of Pennsylvania with a degree in Business Management (2007). While in law school, Mr. Smith was certified as a Miller Center Public Interest Advocate in recognition of his service at the Family Law Clinic, and competed in the American Constitution Society Constance Baker Motley National Moot Court Competition. Mr. Smith has completed internships for the Honorable Joseph A. Greenaway, then of the United States District Court for the District of New Jersey, the New Jersey Office of the Public

Defender, and at the Pennsylvania Attorney General, Bureau of Consumer Protection. Mr. Smith also devotes significant energy serving his community, and in 2012 co-founded Germantown United CDC (a 501(c)(3) revitalizing Germantown's business corridors through a community-driven approach to economic development), where he currently serves as secretary of the board and a member of the executive committee. He is also a board member of the Ebenezer Maxwell Mansion (an authentically restored Victorian house museum in Philadelphia), and is V.P. and Chair of the Zoning Committee for WCGN (neighborhood civic association and RCO representing Tulpehocken Historic Station District). Mr. Smith also serves as Democratic Committee Person for Philadelphia's 59th Ward, 22 Division, after his public election to that post in 2014.

Mr. Smith is licensed to practice in Pennsylvania and New Jersey has been admitted to the United States District Courts for the Eastern District of Pennsylvania and the District of New Jersey.

Kenneth Pickle

Kenneth Pickle has been an associate with the Radice Law Firm since 2013.

Prior to law school, he was an analytical chemist for a large pharmaceutical company. His litigation experience includes representing plaintiffs in all phases of litigation, including case evaluation and assessment, development of case strategy, all phases of discovery, trial strategy development, and trial. He has been part of the litigation or trial teams in numerous class actions against pharmaceutical companies alleging anticompetitive delayed-generic entry business practices, including:

- *In re Dental Supplies Antitrust Litigation*, No. 1:16-cv-00696-BMC-GRB (E.D.N.Y.) (alleging nationwide margin fixing conspiracy among dental suppliers).
- *In re Skelaxin (metaxalone) Direct Purchaser Antitrust Litigation*, 12-2343 (E.D. Tenn.) (\$73 million settlement in case alleging delayed generic entry)
- *In re Nexium (Esomeprazole) Antitrust Litigation*, 1:12-md-02409 (D. Mass.) (\$24 million partial mid-trial settlement in “pay-for-delay” case challenging agreements between AstraZeneca and generic competitors to delay generic entry)
- *In re Solodyn Antitrust Litig.*, No. 14-10438 (D. Mass.) (alleging that Medicis engaged in an anticompetitive scheme to delay generic competition)

Mr. Pickle also has experience litigating class action antitrust cases in the financial trading and telecommunication industries.

Mr. Pickle graduated from Cardozo Law School in 2011, where he served as associate editor for the Cardozo Journal of International and Comparative Law. He is admitted to the bar of the State of New York, as well as the U.S. District Courts for the Southern District of New York and Eastern District of New York. He is also a registered patent attorney with the U.S. Patent and Trademark Office.

April D. Lambert

April D. Lambert joined Radice Law Firm PC as of counsel in June 2016. Prior to joining Radice Law Firm PC, Ms. Lambert was an associate in the intellectual property litigation group at Sidley Austin LLP. Ms. Lambert has extensive experience litigating patent infringement and antitrust cases, as well as handling other intellectual property matters. Ms. Lambert has also participated on the discovery teams of a range of litigation matters. Representative cases Ms. Lambert has worked on including the following:

- *Medtronic AVE, Inc. v. Cordis Corp.* (E.D. Tex.) – patent infringement litigation case involving balloon stent catheters; favorably settled on eve of pre-trial conference
- *SynQor, Inc. v. Artesyn* (E.D. Tex.) – patent infringement litigation case involving power converters
- *Celgene Corp. v. Natco Pharma Ltd.* (D.N.J.) – patent infringement case involving the drug lenalidomide

Ms. Lambert earned her J.D. from the New York University School of Law (2003), where she was a McKay Scholar, an award given to the top 25% of the class, and was the Executive Editor of the *NYU Journal of Legislation and Public Policy*. While at NYU, Ms. Lambert served as an intern for the New York City Public Advocate's Office. Ms. Lambert also graduated *Phi Beta Kappa* from Johns Hopkins University (2000) and earned a masters in library and information science from the University of Illinois (2013). Ms. Lambert has published on the topics of cybersecurity education and library patron privacy.

Throughout her career Ms. Lambert has been active in *pro bono* matters. In law school she volunteered as a student advocate for women through a battered women's program and assisted women in obtaining divorces. Ms. Lambert continued this work once in practice and served as counsel for petitioners for protection from abuse orders, often negotiating consent orders and avoiding the trauma of a hearing on the matter. Ms. Lambert also served as an intake coordinator for the Chicago Volunteer Legal Services (CVLS) Hull House Legal Clinic and earned awards for exemplary service to the CVLS program.

Ms. Lambert is admitted to practice in Illinois and Pennsylvania (inactive) and has been admitted to the United States District Courts for the Northern District of Illinois and the Western District of Pennsylvania.

Daniel Rubenstein

Daniel Rubenstein began work with the Radice Law Firm PC in March 2016, and became of counsel to the firm in June 2016. Mr. Rubenstein is an experienced litigation attorney who has handled complex cases in both federal and state courts.

Mr. Rubenstein practiced for more than five years as a litigator with the New York-based plaintiff's firm LeBow & Associates, handling primarily civil rights and constitutional cases. His practice included cases involving discrimination and harassment on the basis of race, gender, and sexual orientation; wrongful imprisonment; excessive force; and retaliation against whistleblowers. During that time, he achieved numerous settlements for clients, had multiple cases receive media coverage, and drafted three appeals to the Second Circuit.

Prior to Mr. Rubenstein's experience with LeBow & Associates, he practiced corporate law. He worked with New York law firms Feldman, Weinstein & Smith and Mintz & Fraade, working on transactions including mergers, joint ventures, technology licensing, and reverse mergers, and on securities offerings and SEC reporting. A significant part of his practice with those firms involved the representation of emerging technology companies. He also worked in Tokyo, Japan with the Japanese law firms Blakemore & Mitsuki and Nagashima & Hashimoto, assisting both Japanese companies and foreign companies doing business in Japan, and working on English-language contracts and cross-border transactions.

Mr. Rubenstein earned his J.D. from Harvard Law School in 2000, and graduated *magna cum laude* from Carleton College in 1997 with a B.A. in Economics, where he was named to Phi Beta Kappa and also to the Dean's List for 1994-6. He also took biology, organic chemistry, and biochemistry at West Virginia State University and Marshall University, and uses that background to assist with scientific issues in his legal practice.

Mr. Rubenstein is admitted to practice in New York and Texas (currently inactive in Texas), and in the Southern and Eastern Districts of New York.