

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE NAMENDA DIRECT PURCHASER ANTITRUST LITIGATION	Case No. 1:15-cv-07488-CM-RWL
THIS DOCUMENT RELATES TO: All Direct Purchaser Actions	

**DECLARATION OF BRUCE E. GERSTEIN IN SUPPORT OF DIRECT
PURCHASER CLASS PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL
OF PROPOSED SETTLEMENT, APPROVAL OF THE FORM AND MANNER OF
NOTICE TO THE CLASS AND PROPOSED SCHEDULE
FOR A FAIRNESS HEARING**

I, Bruce E. Gerstein, hereby declare as follows:

I am a member of the bar of the State of New York and am admitted to practice before this Court. I am Co-Lead Counsel for the Direct Purchaser Class and a Managing Partner at Garwin Gerstein & Fisher LLP. I submit this declaration in support of Direct Purchaser Class Plaintiffs' Motion for Preliminary Approval.

1. Attached as Exhibit 1 hereto is a true and correct copy of the Settlement Agreement made and entered into on December 20, 2019 by and between Forest Laboratories, LLC; Forest Laboratories, Inc.; Forest Laboratories Holdings, Ltd.; Actavis plc; and J M Smith Corporation (d/b/a Smith Drug Company) and Rochester Drug Co-Operative, Inc., individually and on behalf of the Direct Purchaser Class.

2. Attached as Exhibit 2 hereto is a true and correct copy of Direct Purchaser Class Plaintiffs' [Proposed] Plan of Allocation for the Direct Purchaser Class.

3. Attached as Exhibit 3 hereto is a true and correct copy of Dr. Russell L. Lamb's Declaration Related to Proposed Settlement Allocation Plan, dated December 17, 2019.

I hereby declare under the penalty of perjury that the foregoing is true and correct and that this declaration was executed in New York, New York on December 24, 2019.

Dated: December 24, 2019

Respectfully submitted:

/s/ Bruce E. Gerstein

Bruce E. Gerstein
Garwin Gerstein & Fisher LLP
88 Pine Street, 10th Floor
New York, NY 10005
(212) 398-0055
bgerstein@garwingerstein.com

CERTIFICATE OF SERVICE

I hereby certify that on December 24, 2019, I caused the above to be filed by CM/ECF system.

Respectfully submitted,

/s/ Bruce E. Gerstein
Bruce E. Gerstein