

EXHIBIT F

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE SUBOXONE (BUPRENORPHINE
HYDROCHLORIDE AND NALOXONE)
ANTITRUST LITIGATION**

MDL No. 2445

Master File No. 2:13-MD-2445-MSG

THIS DOCUMENT RELATES TO:

All Direct Purchaser Class Actions

**DECLARATION OF DAVID C. RAPHAEL ON BEHALF OF SMITH,
SEGURA, RAPHAEL & LEGER LLP IN SUPPORT OF CLASS
COUNSEL'S MOTION FOR ATTORNEYS' FEES, REIMBURSEMENT
OF EXPENSES AND SERVICE AWARDS FOR THE NAMED
PLAINTIFFS**

I, David C. Raphael, Jr., subject to the penalties of perjury provided by 28 U.S.C. § 1746, hereby declare as follows:

1. I am a partner in the law firm Smith Segura Raphael & Leger, LLP ("SSRL"), attorneys for the Direct Purchaser Class Plaintiffs and class representative Burlington Drug Company, Inc., LLC ("Burlington"). I am admitted to practice *pro hac vice* in this matter. I submit this declaration in support of Class Counsel's Motion for Attorneys' Fees, Reimbursement of Expenses and Service Awards for the Named Plaintiffs. The factual matters set forth and the assertions made herein are true and correct to the best of my knowledge, information, and belief.

2. SSRL has over twenty-five years of experience in representing drug wholesalers in antitrust litigation related to the delayed market entry of generic products. This experience includes decades of assisting wholesaler clients (many of whom are members of the class in this case) in efforts to investigate potential violations of antitrust law in the pharmaceutical industry and prosecuting such violations from the drafting of initial complaints through trial. SSRL has

been extensively involved in the development and prosecution of the Direct Purchasers' claims in the case. Chief among those activities were:

- Discovering the potential violation involved in the case, initiating investigation into the case, preparing case development memoranda, and preparing the initial complaints filed in the District of Vermont in December 2012, including monitoring the 2012 public announcements by Defendant's predecessor in interest, Reckitt Benckiser Pharmaceuticals, Inc. and other affiliated entities ("Reckitt" or "Defendant") regarding its intention to discontinue the orally dissolving tablet version of Suboxone; analyzing the filings associated with Reckitt's 2009 Citizen Petition related to Subutex and its 2012 Citizen Petitions related to Suboxone; reviewing and analyzing publicly available and client information regarding the market availability for generic versions of Suboxone; analyzing publicly available information related to Suboxone tablet and film NDA filings; investigating the status of ANDAs for Suboxone tablets pending in 2012; analyzing Reckitt's SEC filings; researching and reviewing promotional material related to Reckitt's Suboxone tablets and film, material related to Suboxone product packaging, material related to pediatric exposure to Suboxone, and publicly available information related to Reckitt's Risk Evaluation and Mitigation Strategies ("REMS") for Suboxone;
- Managing and coordinating discovery and document production by direct purchaser class representative Burlington and other direct purchaser plaintiffs by utilizing the expertise and proficiency developed over many years in connection with discovery directed to plaintiffs. This included drafting responses to written discovery requests, negotiating with Defendant regarding the scope of discovery directed to Plaintiffs, drafting various communications and participating in numerous meet-and-confer discussions with counsel for Defendant, participating in numerous conference calls and frequently corresponding with co-counsel regarding discovery directed to direct purchaser plaintiffs; participating in briefing and argument related to discovery motions; coordinating with counsel for other class representatives and plaintiffs with respect to Defendant's discovery requests, coordinating Burlington's search and collection of responsive data and documents, and conducting attorney review of Burlington's data and documents for production;
- Communicating regularly with the principals of Burlington throughout the litigation to keep them informed of all developments in the case;
- Preparing Burlington's corporate designee for Rule 30(b)(6) deposition and defending that deposition;
- Reviewing and analyzing thousands of pages of documents and data produced by the Defendant focusing on issues related to unit-dose packaging of the Suboxone tablet

product in the United States and Reckitt's efforts to coerce doctors into prescribing the Suboxone film product over the tablet formulation;

- Preparing memoranda summarizing production on issues related unit-dose packaging of the Suboxone tablet product and preparing for and taking the deposition of Reckitt's Global Manufacturing Director, Michael Schmidt, on those issues;
- Assisting with briefing related to class certification with respect to Defendants' arguments on adequacy of class representatives;
- Preparing for trial, including drafting of numerous motions *in limine*, drafting of oppositions to Defendant's motion *in limine*, review of deposition testimony for designations; selecting exhibits and assisting in the assembly of the trial exhibit list; preparation for the live examination of Defendant witness Michael Schmidt; preparation for the live examination of Plaintiff witness for Burlington; issuing trial subpoenas to witnesses within the subpoena power of the Court; participating in meet and confer conferences and otherwise negotiating and coordinating with counsel for subpoenaed trial witnesses;
- Participating in numerous conference calls and frequently corresponding with co-counsel regarding case management and litigation strategies; and
- Participating in mediation discussions with counsel for the Defendant and consulting with lead counsel and direct purchaser class representative, Burlington, in connection with settlement discussions.

3. All attorneys, paralegals and staff at my firm were instructed to keep contemporaneous time records reflecting their time spent on this case and did so. SSRL also kept books and records concerning the expenses SSRL necessarily incurred in the prosecution of this litigation, prepared from receipts and other source material.

4. The schedule below reports the time spent by my firm's attorneys, paralegals, and staff in this case from inception until October 4, 2023 (the date that the settlement-in-principle was reached) and time thereafter, through October 31, 2023, related only to the settlement. This

submission does not include time relating to this motion. All hourly rates are SSRL's usual and customary rates, for this and other similar matters.¹

Name	Status	Total Hours	Current Hourly Rate	Total Lodestar
David P. Smith.	Partner	154.40	\$800	\$123,520.00
Susan C. Segura	Partner	853.30	\$785	\$669,840.50
David C. Raphael, Jr.	Partner	1686.90	\$785	\$1,324,216.50
Erin R. Leger	Partner	2054.60	\$675	\$1,386,855.00
Brian D. Brooks *	Former Partner	2633.40	\$575	\$1,514,205.00
Mittie J. Bolton *	Former Associate	295.40	\$500	\$147,700.00
Betty R. Owens *	Contract Attorney	330.50	\$475	\$156,987.50
Michael L. Martin *	Contract Attorney	1002.70	\$375	\$376,012.50
Kristal A. Horne *	Contract Attorney	161.70	\$350	\$56,595.00
Jason Harrington *	Contract Attorney	15.90	\$350	\$5,565.00
Nancy Blackwell	Paralegal	983.00	\$250	\$245,750.00
Mark Windham *	Paralegal	282.20	\$200	\$56,440.00
Jessica Chiasson *	Paralegal	59.70	\$185	\$11,044.50
Aruna Patel *	Paralegal	57.60	\$165	\$9,504.00
Megal Lord *	Paralegal	470.90	\$165	\$77,698.50
Donna Thompson	Paralegal	207.10	\$155	\$32,100.50
David Cannon	Paralegal	401.40	\$155	\$62,217.00
Carolee Neal *	Paralegal	90.10	\$150	\$13,515.00
Total:		11740.80		\$6,269,766.50

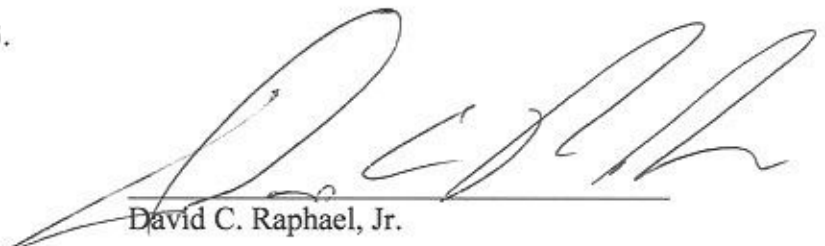
¹ Former SSRL employees and former contract attorneys are identified with an asterisk. For those individuals, the rates shown were their rates at the time of their departure. All other rates are rates as of October 31, 2023.

5. SSRL has also incurred a total of \$1,178,152.26 (as of October 31, 2023) 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:

Expenses	Amount
Filing Fees/Court Costs	\$450.19
Litigation Fund Assessments	\$1,110,000.00
Postage/Air Express/Messengers	\$1,123.11
Process Server/Subpoena Expenses	\$467.29
Reproduction Costs	\$11,615.29
Research and Datasets	\$10,080.98
Court Transcripts	\$344.85
Telephone/Teleconference/Facsimile	\$8,192.29
Travel/Hotel/Meals	\$35,878.26
Total:	\$1,178,152.26

6. Pursuant to 28 U.S.C § 1746, I declare under the penalties of perjury that the foregoing is true and correct.

Executed this 29th day of December, 2023.



David C. Raphael, Jr.