

Exhibit B

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

In re Novartis and Par Antitrust Litigation	1:18-cv-04361-AKH
This Document Relates To: All Direct Purchaser Class Actions	

**DECLARATION OF PETER KOHN ON BEHALF OF FARUQI & FARUQI, LLP IN
SUPPORT OF CLASS COUNSEL’S MOTION FOR AN AWARD OF ATTORNEYS’
FEES AND EXPENSES**

Peter Kohn, subject to the penalties of perjury provided by 18 U.S.C. § 1746, does hereby declare as follows:

1. I am a partner in the law firm Faruqi & Faruqi, LLP, attorneys for Plaintiff Rochester Drug Co-Operative, Inc. (“RDC”), and one of the firms representing the Direct Purchaser Plaintiffs in the above-captioned case. I submit this declaration in support of Class Counsel’s Motion for an Award of Attorneys’ Fees and Expenses.

2. Faruqi & Faruqi, LLP (“Faruqi”) has served as counsel in nearly three dozen pharmaceutical antitrust cases just like this one, and has developed extensive, specialized experience in their prosecution.

3. During the course of this litigation, my firm has been involved in various activities on behalf of the Direct Purchaser Plaintiffs. From the outset, Faruqi was involved in investigating the claims and preparing and filing the complaint on behalf of RDC. The firm was also involved in preparing the Consolidated Amended Class Action Complaint.

4. As discovery progressed, Faruqi was involved in numerous tasks, such as drafting and negotiating discovery requests directed to defendants; drafting a subpoena to nonparty Sandoz, Inc. (a Novartis subsidiary) and negotiating production; taking depositions; handling

expert witnesses; responding to discovery requests propounded on class representatives; conducting document review for responsive discovery on behalf of RDC; and preparing for and defending the Rule 30(b)(6) deposition of RDC.

5. Additionally, Faruqi's attorneys, namely Kristyn Fields (then an associate, now a partner), led the subject-matter team pertaining to the no-authorized-generic agreement, and had primary responsibility for numerous tasks related to that issue, as detailed below. The no-authorized-generic team was responsible for obtaining and assembling the documentary, deposition, and expert proof required to show that Novartis would have been ready, willing, and able to launch authorized generic Exforge as early as September of 2012 absent the no-AG promise. To develop this important aspect of the case, my firm reviewed and analyzed thousands of documents concerning Novartis's decision-making and launch plans with respect to authorized generic Exforge. My firm also served as lead questioner during two fact depositions on this topic, and assisted in the preparation for several others.

6. During the expert discovery period, Faruqi assisted Plaintiffs' two pharmaceutical industry experts, Luis Molina and Donald Allen, in connection with their expert reports. Mr. Molina, a former executive at Pfizer with experience introducing authorized generics, opined about Novartis's willingness and financial incentives to introduce authorized generic Exforge earlier than it actually did. Mr. Allen, an expert in operations and supply chain management, analyzed whether Novartis had the production capacity to manufacture authorized generic Exforge earlier. Oversight of Messrs. Molina and Allen required my firm to master the complex and technical subject matters on which they opined.

7. Faruqi was also involved in preparing for and defending the depositions of Messrs. Molina and Allen.

8. My firm also drafted and assisted in drafting briefing (1) in opposition to defendants' motion to dismiss; (2) in opposition to defendants' *Daubert* motion seeking to exclude the opinions of Messrs. Molina and Allen; (3) in support of Direct Purchaser Plaintiffs' motion for class certification; (4) in opposition to defendants' motions for summary judgment; and (5) in support of Plaintiffs' motions *in limine*.

9. Faruqi was involved in preparation for trial, including designating deposition testimony, identifying and assembling trial exhibits, and reviewing and editing proposed stipulations.

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

11. The schedule below reports the time spent by my firm's attorneys and paralegals in this case from inception until January 10, 2023, excluding time relating to this motion:

Name	Position	Hours	2022 Rate (\$/Hour)	Lodestar (\$)
Peter Kohn	Partner	407.90	965.00	\$393,623.50
Adam Steinfeld	Partner	1,035.90	770.00	\$797,643.00
Raymond Barto	Partner*	14.30	600.00	\$8,580.00
Kristyn Fields	Partner†	3,286.00	550.00	\$1,807,300.00
David Calvello	Partner*	5.40	550.00	\$2,970.00
Neill Clark	Counsel	328.10	770.00	\$252,637.00
Anthony L. Aloise	Paralegal	5.20	400.00	\$2,080.00
Brian Giacalone	Former Paralegal	4.40	375.00	\$1,650.00
Timothy D. Thompson	Former Paralegal	4.70	335.00	\$1,574.50
Julianna Dietz	Former Paralegal	14.20	300.00	\$4,260.00
Totals:		5,106.10		\$3,272,318.00

* Associate during all of the litigation of this case, made partner December 16, 2022.

† Associate during most of the litigation of this case, made partner June 16, 2022.


12. My firm has also incurred a total of \$362,141.07 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 (\$)
Filing fees/court costs	\$825.00
Litigation fund contributions	\$345,000.00
Travel/hotel/meal expenses	\$503.59
Database user fees	\$13,380.49
Legal research	\$1,571.11
Telephone/teleconference/facsimile	\$202.88
Miscellaneous	\$658.00
Total:	\$362,141.07

13. 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.

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

Executed this 10th day of February, 2023.



 PETER KOHN