

EXHIBIT A

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**IN RE: LIPITOR ANTITRUST
LITIGATION**

THIS DOCUMENT RELATES TO:

All Direct Purchaser Class Actions

MDL No. 2332

**Master Docket No. 3:12-cv-2389
(PGS/JBD)**

**DECLARATION OF BRUCE E. GERSTEIN ON BEHALF OF GARWIN
GERSTEIN & FISHER LLP IN SUPPORT OF DIRECT PURCHASER
CLASS COUNSEL'S MOTION FOR ATTORNEYS' FEES,
REIMBURSEMENT OF EXPENSES AND SERVICE AWARDS FOR THE
NAMED PLAINTIFFS**

I, Bruce E. Gerstein, subject to the penalties of perjury provided by 18

U.S.C. § 1746, hereby declare as follows:

1. I am a managing partner at the law firm of Garwin Gerstein & Fisher LLP. I submit this declaration in support of Direct Purchaser Class Counsel's Motion for Attorneys' Fees, Reimbursement of Expenses and Service Awards for the Named Plaintiffs.

2. In August 2012, GGF, along with two other firms, was appointed Interim Lead Counsel for the Class. *See* ECF No. 109. During the course of this litigation, and while serving as Co-Lead Counsel for the direct purchaser class (the "Class"), GGF has been extensively involved in all aspects of the litigation and has

led the efforts of Class Counsel in managing the workload necessary to aggressively prosecute the claims of the Class in an efficient manner.

3. GGF attorneys, including with certain other of Class Counsel, conducted a pre-filing investigation, including analyzing the facts known against the legal elements of an antitrust claim. GGF then took the lead, with significant input from certain other Class Counsel, in drafting a complaint on behalf of Burlington Drug Company, Inc., and filing that complaint on November 17, 2011. GGF was also centrally involved in drafting the subsequent consolidated amended complaints that were filed.

4. GGF was centrally involved in briefing related to Defendants' motions to dismiss, both to this Court and to the Third Circuit Court of Appeals.

5. GGF took the lead role in drafting and/or editing numerous other briefs, including briefs related to: (a) Defendants' motions to stay; (b) motions to compel document discovery; (c) motions to compel interrogatory responses; (d) privilege issues; (e) appeals of scheduling orders directing class certification and summary judgment briefing (and related issues); and (f) summary judgment briefing.

6. GGF oversaw and guided various aspects of fact discovery, including being centrally involved in the negotiation of discovery responses and overseeing document production from Defendants and certain third parties. GGF was also

centrally involved in document review, collecting repositories of key documents relating to liability issues and creating white papers related to such issues that were then used for various purposes throughout the litigation, including motion practice and mediation.

7. GGF was centrally involved in drafting and/or editing numerous Court-ordered status reports and other submissions to the Court, and participated in and/or attended all status conferences and oral arguments held by the Court.

8. GGF frequently communicated with defense counsel throughout the litigation concerning various logistical and scheduling issues, and participated in meet-and-confers with defense counsel (and counsel for third parties) related to discovery issues.

9. GGF was centrally involved in the mediation process presided over by Judge Hochberg, including taking a leading role in drafting numerous mediation statements, submissions and briefs, and participating in Zoom, telephonic and in-person mediation sessions.

10. GGF was involved in negotiating the terms of a formal settlement agreement and briefing related to preliminary approval. In addition, GGF attorneys will be involved in briefing supporting final approval of the settlement and, if the settlement is finally approved, settlement administration.

11. In accordance with the Court’s Order on Procedures and Guidelines for Direct Purchaser Plaintiffs’ Counsel’s Time and Expense Submissions (ECF No. 806) (“Time and Expense Order”), all attorneys, paralegals and other support staff at my firm were instructed to keep contemporaneous time records reflecting their time spent on this case, and did so. My firm also kept books and records concerning the expenses my firm necessarily incurred in the prosecution of this litigation, prepared from receipts and other source material.

12. The schedule below reports the time spent by my firm’s attorneys, paralegals and other support staff from inception until February 7, 2024 (the date that the settlement was executed) and time thereafter related only to the settlement. This submission does not include time relating to this motion. In accordance with the Time and Expense Order, all hourly rates are reported below at both then-current (*i.e.*, historical) billing rates and at current billing rates, and contract attorneys have been billed at no more than \$250 per hour.¹

Professional	Position	Hours	Lodestar Historical Rates	Lodestar Current Rates
Andrew Aubertine	Of Counsel*	4.30	3,117.50	3,117.50
Carl Baker	Paralegal*	9.70	4,550.00	4,607.50
Elena Chan	Partner*	285.00	197,525.00	239,400.00

¹ Former employees are identified with an asterisk.

Claire Cimino	Paralegal	379.80	172,684.00	191,799.00
Deborah Elman	Partner	3.95	3,574.75	3,910.50
Bruce Gerstein	Partner	869.35	1,200,139.61	1,456,161.25
Ephraim Gerstein	Associate*	106.00	79,500.00	82,150.00
Jonathan Gerstein	Partner	1.00	600.00	990.00
Kimberly Hennings	Partner	2,465.94	1,978,045.41	2,441,280.60
Scott Levy	Associate*	13.33	9,664.25	9,664.25
Dan Litvin	Partner	20.18	15,672.75	19,978.20
Katie McGee	Paralegal*	34.95	11,508.75	12,232.50
Rimma Neman	Clerk	17.16	4,800.86	5,577.00
Joseph Opper	Partner*	501.12	507,462.99	651,456.00
David Rochelson	Partner	6.50	5,882.50	6,435.00
Susan Roth	Paralegal	57.58	24,699.58	29,077.90
Janet Seidman	Paralegal*	1.33	365.75	365.75
Noah Silverman	Partner	58.66	55,733.37	79,191.00
Anna Tydniouk	Associate	231.66	171,723.40	220,077.00
Apolinar Uriarte	Paralegal	395.40	160,538.15	187,815.00
Aakruti Vakharia	Associate*	373.49	147,353.65	162,468.15
Ashley Velasquez	Clerk*	7.00	1,750.00	1,750.00

Avery Wolf	Paralegal*	169.50	21,187.50	21,187.50
TOTAL		6,008.60	4,778,079.77	5,830,691.60

13. My firm incurred a total of \$435,026.63 in unreimbursed expenses, as set forth in the following table²:

Expense	Amount
Court reporting/transcription services	4,054.07
Filing fees	5,952.28
Litigation Fund Contributions	289,716.00
Postage/FedEx	1,306.58
Telephone	3,594.02
Photocopying	3,096.90
Travel/hotel/meals	18,161.39
Legal research and datasets	43,839.78
Hyman, Phelps & McNamara (Expert Kurt Karst)	65305.61
Total	435,026.63

² In accordance with the Time and Expense Order, postage/FedEx are reported at actual cost; the above telephone expenses do not include general subscription or monthly lease costs associated with long-distance services and cellular phones; the maximum charge for photocopying is \$0.25 per page; and for any travel mileage, the IRS rules for mileage maximums were applied.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 24th day of April, 2024

/s/ Bruce E. Gerstein

Bruce E. Gerstein