

EXHIBIT F

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

I, Erin R. Leger, subject to the penalties of perjury provided by 28 U.S.C. § 1746, hereby declare as follows:

1. I am a partner at the law firm of Smith Segura Raphael & Leger, LLP (“SSRL”) attorneys for Direct Purchaser Class Plaintiffs and class representatives Value Drug Company (“Value”) and Drogueria Betances, LLC (“Betances”). I am admitted to practice *pro hac vice* in this matter. 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. 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 jury trial.

3. During the course of this litigation, my firm has been involved in the following activities on behalf of the Direct Purchaser Class:

- a. Investigating the case including review of multiple generics' ANDA material, review of multiple infringement suits related to generic Lipitor, research related to generic pricing and Pfizer's rebate and coupon program, and assisting with the preparation of initial and amended complaints in this matter;
- b. Managing and coordinating discovery and document production by direct purchaser class representatives "Betances" and "Value" 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 Defendants regarding the scope of discovery directed to Plaintiffs, drafting

various communications and participating in numerous meet-and-confer discussions with counsel for Defendants, participating in numerous conference calls and frequently corresponding with co-counsel regarding discovery directed to direct purchaser plaintiffs, coordinating with counsel for other class representatives and plaintiffs with respect to Defendants' discovery requests, coordinating the search and collection of responsive data and documents by Betances and Value, and conducting attorney review of their data and documents for production;

- c. Communicating regularly with the principals of Betances and Value throughout the litigation to keep them informed of all developments in the case;
- d. Preparing the corporate designees of Betances and Value for Rule 30(b)(6) deposition and defending those depositions;
- e. Participating in numerous conference calls and frequently corresponding with co-counsel regarding case management and litigation strategies;
- f. Reviewing and analyzing thousands of pages of documents and data produced by Defendants and preparing memoranda summarizing production on discrete topics of potential relevance;

- g. Drafting multiple third party subpoenas, including negotiations over production, and review and analysis of documents produced by those third parties.
- h. Participating in multiple mediation sessions, consulting with lead counsel and direct purchaser class representatives, Betances and Value, in connection with settlement discussions, and assisting with submissions on plaintiff-related and class certification issues;

4. 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.

5. 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
David P. Smith, APLC	Partner	38.40	\$26,311.50	\$31,680.00
Susan C. Segura	Partner	1,052.90	\$730,231.50	\$868,642.50
David C. Raphael, Jr.	Partner	375.30	\$238,092.50	\$309,622.50
Erin R. Leger	Partner	187.60	\$94,717.50	\$133,196.00
Nancy Blackwell	Paralegal	489.70	\$108,762.00	\$129,770.50
Donna Thompson	Paralegal	.30	\$46.50	\$49.50
David Cannon	Paralegal	219.20	\$29,592.00	\$33,976.00
Brian D. Brooks*	Partner	40.80	\$24,072.00	\$23,460.00
Mittie J. Bolton*	Associate	12.40	\$5,580.00	\$6,200.00
Michael L. Martin*	Contract Attorney	82.40	\$20,600.00	\$20,600.00
Mark Windham*	Paralegal	4.30	\$795.50	\$860.00
Jessical Chiasson*	Paralegal	220.50	\$40,792.50	\$40,792.50
Aruna Patel*	Paralegal	67.10	\$11,071.50	\$11,071.50
Total:		2,790.90	\$1,330,665.00	\$1,609,921.00

¹ Former employees are identified with an asterisk.

6. My firm incurred a total of \$265,934.31 in unreimbursed expenses, as set forth in the following table²:

Expense	Amount
Court reporting/transcription services	
Filing fees	\$978.10
Litigation Fund Contributions	\$250,000.00
Postage/FedEx	\$146.21
Telephone	\$706.40
Photocopying	\$1,829.00
Travel/hotel/meals	\$7,994.23
Legal research and datasets	\$4,280.37
Total:	\$265,934.31

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

Executed this 19th day of April, 2024

/s/ 

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.