EXHIBIT 8

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

KPH HEALTHCARE SERVICES, INC., a/k/a KINNEY DRUGS, INC., FWK HOLDINGS LLC, and CÉSAR CASTILLO, LLC, individually and on behalf of all others similarly situated, Plaintiffs, v. MYLAN N.V., MYLAN SPECIALTY L.P., MYLAN PHARMACEUTICALS, INC., PFIZER, INC., KING PHARMACEUTICALS, INC., MERIDIAN MEDICAL TECHNOLOGIES, INC., Defendants.	Case No. 2:20-cv-02065-DDC-TJJ

PLAN OF ALLOCATION

Plaintiffs KPH Healthcare Services, Inc. a/k/a Kinney Drugs, Inc. ("KPH"), FWK Holdings LLC, and César Castillo, LLC (collectively, "Plaintiffs"), individually and on behalf of a proposed settlement class of similarly situated direct purchasers of brand and/or generic EpiPen directly from Mylan[1] or Teva, from March 13, 2014 until the date on which the Court enters the Preliminary Approval Order (the "Class"), submits this proposed plan of allocation ("Allocation Plan") to apportion among members of the Class ("Class Members") the $50,000,000 Settlement with Defendants Pfizer Inc., Meridian Medical Technologies, Inc., and King Pharmaceuticals, Inc. (collectively, the "Pfizer Defendants"), plus any interest accrued and net of Court-approved attorneys' fees (including a proportionate share of interest), reimbursement for litigation

[1] "Mylan" refers collectively to Defendants Mylan N.V., Mylan Specialty L.P., and Mylan Pharmaceuticals Inc. Mylan is not part of this Settlement Agreement.

expenses incurred through the date of settlement, and settlement administration cost (the "Net Settlement Fund").

INTRODUCTION

1. The Allocation Plan apportions the Net Settlement Fund based on each Class Member's *pro rata* share of combined net unit purchases of brand, authorized generic, and generic EpiPen made directly from (a) Mylan, which sold brand and authorized generic EpiPen, or (b) Teva, which sold generic EpiPen.

2. Claimants must submit their own records or data showing purchases of brand, authorized generic, and generic EpiPen directly from Mylan and/or Teva during the relevant time period and documentation showing any relevant assignments. Dr. Lamb will review any such submissions and confer with the Settlement Administrator regarding the final calculations of each Claimant's percentage share of the Net Settlement Fund.

3. Throughout this Allocation Plan, "purchases" refers to gross unit purchases of brand, authorized generic, or generic EpiPen directly from Mylan and/or Teva during the relevant period net of any returns and net of any purchases for which the Claimant has assigned its rights to recovery in this litigation. Claimants' *pro rata* shares will be based on only purchases made directly from Mylan and/or Teva and will not include brand or generic EpiPen purchased from other entities.

ALLOCATION PLAN

4. Within 21 days of entry of the Court's Order granting preliminary approval of the Settlement, the Settlement Administrator will prepare a separate, individualized Claim Form for each known Class Member. The Claim Form will include each Class Member's name and address. The Claim Form will contain blanks for each Class Member's total net brand and

authorized generic EpiPen unit purchases directly from Mylan and total net generic EpiPen unit purchases directly from Teva from March 13, 2014 through the date on which the Court enters the Preliminary Approval Order.

5. The Claim Form will be sent via U.S. First-Class mail to each known Class Member along with the Long-Form Notice of Settlement. The Claim Form will request that each Class Member verify the accuracy of the information contained in the Claim Form and will provide instructions for submitting purchase records.

6. The Claim Form will request the Claimant's full name and mailing address appropriate for correspondence regarding the distribution of the Net Settlement Fund and the identity of and contact information, including email and phone number, for the person responsible for overseeing the claims process for the Claimant. The Claim Form will also include the National Drug Codes ("NDCs") for brand, authorized generic, and generic EpiPen.[2]

7. Each Class Member will be required to timely execute and return a Claim Form to receive any distribution from the Net Settlement Fund. The submission of a Claim Form to the Settlement Administrator will be deemed timely if it is submitted online or postmarked by the Claim Form deadline listed in the Court-approved Notices. At the Settlement Administrator's and Co-Lead Class Counsel's ("Class Counsel") discretion, this deadline may be extended without additional approval of the Court, so long as distribution of the Settlement Fund to Class Members is not materially delayed.

8. No later than 49 days following entry of the Court's Order granting preliminary

[2] The NDCs are standard codes maintained by the FDA and used in the pharmaceutical industry to identify specific pharmaceutical products and will allow Claimants to understand precisely which purchases are eligible for purposes of allocation.

approval of the Settlement, the Settlement Administrator shall follow up by U.S. First-Class mail with any identified Class Member that has not yet submitted a completed Claim Form.

9. All Claim Forms submitted will be reviewed and processed by the Settlement Administrator with assistance from Dr. Lamb and his staff as required and appropriate.

10. Upon receiving a Claim Form, the Settlement Administrator shall determine whether the Claim Form is timely, properly completed, supported by appropriate documentation, and signed. If a Claim Form is incomplete, not supported by appropriate documentation, or unsigned, the Settlement Administrator shall communicate with the claimant via U.S. First-Class mail, email, and/or telephone regarding the deficiency. The Claimant will then have 28 days from the date it is contacted by the Settlement Administrator regarding the deficiency to cure the deficiency. If the Claimant fails to cure the deficiency within that period, the Settlement Administrator shall reject the claim and will notify the Claimant of the rejection by letter. The Settlement Administrator's determination regarding the validity of a claim shall be final. Notwithstanding the foregoing, the Settlement Administrator may, in its and Class Counsel's discretion, accept late-submitted claims, and information to cure deficiencies, for processing so long as distribution of the Settlement Fund to Class Members is not materially delayed.

11. Dr. Lamb and his staff will be responsible for determining the amount each Class Member that timely submitted a valid Claim Form will receive from the Net Settlement Fund.

12. The Allocation Plan will use the combined total brand, authorized generic, and generic EpiPen purchases, net of any returns and net of any purchases for which the rights to damages in this litigation have been assigned from a Class Member by agreement. Allocations to any Claimants whose right to a share of the Net Settlement Fund arises by virtue of assignments from Class Members will be determined in the same manner: the volumes of brand, authorized

generic, and generic EpiPen purchases used to calculate the *pro rata* share will be the volumes assigned to the assignee Claimant by an otherwise eligible Class Member, and the assignor Class Member's brand, authorized generic, and generic purchase volumes will be reduced by the same amount.

13. To calculate each Claimant's *pro rata* share of the Net Settlement Fund, the Settlement Administrator, working with Dr. Lamb, will take each Claimant's combined total qualifying net purchases of brand, authorized generic, and generic EpiPen and divide it by the combined total qualifying purchases of brand, authorized generic, and generic EpiPen for all Claimants.[3]

14. To address the fact that alleged damages stemming from the purchases of brand drugs are higher than those stemming from the purchases of generic drugs, Dr. Lamb will apply one multiplier to brand purchases and another multiplier to generic purchases.

15. Dr. Lamb and his staff will work with the Settlement Administrator to review any data and related documentation submitted by Claimants to finalize the allocation calculations.

16. The Settlement Administrator shall be responsible for sending, at the Class Member's selection, by wire or mail via U.S. First-Class mail or FedEx to each Class Member who timely submitted a valid Claim Form a check for its approved distribution from the Net Settlement Fund. Each check shall be valid for a period of 120 days.

17. No later than 49 days before the Final Approval Hearing, and at the same time as the Class Counsel move for final approval, Class Counsel shall cause to be filed with the Court

[3] The purchases of brand and authorized generic EpiPen are those made directly from Mylan and of generic EpiPen from Teva from between March 13, 2014 and the date on which the Preliminary Approval Order is entered.

declarations from the Settlement Administrator and Dr. Lamb summarizing their actions to effectuate this allocation. The declarations shall also include a summary of all costs and expenses incurred and expected to be incurred in connection with this Allocation Plan.

18. It is anticipated that the entire Net Settlement Fund will be distributed at one time. If amounts that are not *de minimis* remain in the fund 180 days after the initial distribution date due to expired checks or any other reason, such amounts shall be distributed *pro rata* to Claimants that timely cashed their initial settlement checks based on the same formula used for the initial distribution. If the amounts remaining in the fund are *de minimis* such that a second distribution would not be economically feasible based on an assessment of the costs of distribution as compared to the amounts remaining in the fund, Class Counsel shall make an application with the Court, with notice to Pfizer, addressing the proposed distribution of those funds.

Respectfully submitted,

Dated: October 10, 2023

/s/ Bradley T. Wilders

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