

**UNITED STATES DISTRICT COURT
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 those
similarly situated,

Plaintiffs,

v.

MYLAN, N.V., MYLAN
PHARMACEUTICALS INC., MYLAN
SPECIALTY L.P., PFIZER, INC., KING
PHARMACEUTICALS LLC, and
MERIDIAN MEDICAL TECHNOLOGIES,
INC.,

Defendants.

Civil Action No. 2:20-cv-02065-DDC-TJJ

**DIRECT PURCHASER CLASS PLAINTIFFS' MOTION FOR
FINAL APPROVAL OF SETTLEMENT, APPROVAL OF PLAN OF ALLOCATION,
AND AWARD OF ATTORNEYS' FEES, EXPENSES, AND SERVICE AWARDS**

Plaintiffs KPH Healthcare Services, Inc., FWK Holdings LLC, and César Castillo, LLC, on behalf of themselves and the certified Direct Purchaser Settlement Class (the "Class," together with Plaintiffs, "Plaintiffs"), respectfully move the Court for an Order:

- (i) Finding the Settlement Agreement (ECF No. 372-2) between Plaintiffs and Pfizer, Inc., King Pharmaceuticals LLC, and Meridian Medical Technologies, Inc. (together, "Pfizer") and its terms, and the Allocation Plan (ECF No. 372-9), are fair, reasonable, and adequate within the meaning of Rule 23 of the Federal Rules of Civil Procedure, granting final approval of the Settlement, and directing its consummation pursuant to the terms of the Settlement Agreement;
- (ii) Awarding Plaintiffs' Counsel attorneys' fees equal to one-third of the Settlement Fund and reimbursement of their litigation costs and expenses in the amount of

\$536,157.61, and granting authority to Co-Lead Counsel to distribute the attorneys' fees and expenses in a manner that, in the opinion of Co-Lead Counsel, fairly compensates each firm in view of its contribution to the prosecution of Plaintiffs' claims;

- (iii) Awarding service awards in the amount of \$5,000 to each of the Plaintiff Class Representatives;
- (iv) Directing that Plaintiffs' and Direct Purchaser Class Members' claims against Pfizer be dismissed with prejudice and without costs and without attorneys' fees recoverable under 15 U.S.C. § 15(a), except as otherwise provided in the Settlement Agreement;
- (v) Authorizing Co-Lead Counsel and the Settlement Administrator, A.B. Data, Ltd., to use all reasonable procedures that are not materially inconsistent with this Order or the Settlement Agreement to carry out all remaining aspects of the administration of the Settlement;
- (vi) Retaining exclusive jurisdiction over the Settlement and the Settlement Agreement, including the administration and consummation of the Settlement; and
- (vii) Directing that the judgment of dismissal of all Class claims against Pfizer shall be final and appealable.

In support of this Motion, Plaintiffs rely on and incorporate by reference the Memorandum of Law in Support of Plaintiffs' Motion for Final Approval of Settlement, Approval of Plan of Allocation, Award of Attorneys' Fees, Expenses and Service Awards; the accompanying declarations and exhibits filed in support; and all papers and records on file in this matter.

Date: May 7, 2024

Respectfully submitted,

/s/ Bradley T. Wilders

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