

Lisa J. Rodriguez
DILWORTH PAXON LLP
1500 Market Street, Suite 3500E
Philadelphia, PA 19102-2101
Phone: (856) 675-1926
ljrodriguez@dilworthlaw.com

*Liaison Counsel for the Proposed End-Payor
Classes*

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

IN RE LIPITOR ANTITRUST
LITIGATION

This Document Relates To:

All End-Payor Class Actions

MDL No. 2332

Case No. 3:12-cv-2389-PGS-JBD

**DECLARATION OF KENNETH A. WEXLER IN SUPPORT OF END-
PAYOR PLAINTIFFS' REPLY IN FURTHER SUPPORT OF END-PAYOR
PLAINTIFFS' MOTION FOR FINAL APPROVAL OF SETTLEMENT
AND OTHER RELIEF**

I, Kenneth A. Wexler, hereby declare under penalty of perjury and pursuant to 28 U.S.C. § 1746 as follows:

1. I have personal knowledge of the matters described below, and if called to testify upon them, would be competent to do so.

2. I am managing partner in the law firm Wexler Boley & Elgersma LLP and submit this Declaration in support of End-Payor Plaintiffs' Reply in Further Support of End-Payor Plaintiffs' Motion for Final Approval of Settlement and Other Relief ("Motion").

3. Attached as **Exhibit A** is a true and correct excerpt of *In re Suboxone (Buprenorphine Hydrochloride & Naloxone) Antitrust Litig.*, No 2:13-md-02445, Dkt. 930-10 (E.D. Pa. Aug. 19, 2023).

4. Attached as **Exhibit B** is a true and correct excerpt of *In re Zetia (Ezetimibe) Antitrust Litig.*, No. 2:18-md-02836, Dkt. 2134-5 (E.D. Va. May 22, 2023).

5. Attached as **Exhibit C** is a true and correct excerpt of *In re Aggrenox Antitrust Litig.*, No. 3:14-md-02516, Dkt. 748-3 (D. Conn. Jan. 8, 2018).

6. Attached as **Exhibit D** is a true and correct excerpt of *In re Loestrin 24 Fe Antitrust Litig.*, No. 1:13-md-02472, Dkt. 1244-2 (D.R.I. Sept. 27, 2019).

7. Attached as **Exhibit E** is a true and correct excerpt of *In re Effexor XR Antitrust Litig.*, No. 3:11-cv-05479, Dkt. 733-2 (Apr. 26, 2024).

8. Attached as **Exhibit F** is a true and correct excerpt of *In re Restasis (Cyclosporine Ophthalmic Emulsion) Antitrust Litig.*, No. 1:18-md-02819, Dkt. 715-1 (E.D.N.Y. Dec. 22, 2021).

9. Attached as **Exhibit G** is a true and correct excerpt of *In re Thalomid & Revlimid Antitrust Litig.*, No. 2:14-cv-06997, Dkt. 291-3 (D.N.J. Aug. 15, 2019).

10. Attached as **Exhibit H** is a true and correct excerpt of *In re Skelaxin (Metaxalone) Antitrust Litig.*, No. 1:12-md-02343, Dkt. 757-1 (E.D. Tenn. July 11, 2014).

11. Attached as **Exhibit I** is a true and correct copy of a draft Antitrust Service Agreement that was prepared by a third-party administrator, Optum, sent to a TPP Class Member, and subsequently shared with undersigned counsel.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on September 24, 2024.

/s/ Kenneth A. Wexler

Kenneth A. Wexler