

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

In re REMICADE ANTITRUST LITIGATION)	Civil Action No. 2:17-cv-04326-KSM
_____)	(Consolidated)
This Document Relates To:)	<u>CLASS ACTION</u>
INDIRECT PURCHASER ACTIONS.)	The Honorable Karen S. Marston
_____)	PLAINTIFFS' UNCONTESTED MOTION FOR AN ORDER: (1) CERTIFYING A SETTLEMENT CLASS; (2) GRANTING PRELIMINARY APPROVAL OF THE SETTLEMENT AGREEMENT; (3) APPOINTING CLASS COUNSEL; (4) APPOINTING A SETTLEMENT ADMINISTRATOR AND ESCROW AGENT; (5) APPROVING THE FORM AND MANNER OF NOTICE TO THE SETTLEMENT CLASS; (6) PRELIMINARILY APPROVING THE PLAN OF ALLOCATION AND DISTRIBUTION; AND (7) SCHEDULING A FAIRNESS HEARING

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that Plaintiffs Local 295 IBT Employer Group Welfare Fund and National Employees Health Plan (“Plaintiffs”) hereby move this Court pursuant to Rule 23 of the Federal Rules of Civil Procedure, for entry of the proposed Class Settlement Preliminary Approval Order submitted herewith as Exhibit B to the Stipulation of Class Action Settlement (“Settlement Agreement”) which provides for:

1. Certification of the Settlement Class;
2. Preliminary approval by the Court of the proposed Settlement Agreement between Plaintiffs and Defendants Johnson & Johnson and Janssen Biotech, Inc. (“Defendants”);
3. Appointment of Class Counsel for the Settlement Class;
4. Appointment of Gilardi & Co., LLC as the Settlement Administrator and Huntington Bank as the Escrow Agent;
5. Approval of the proposed form and manner of Notice to the Settlement Class;
6. Preliminary approval of the Plan of Allocation and Distribution; and
7. The establishment of a proposed schedule leading up to and including the Fairness Hearing.

This motion is supported by the memorandum of law, the Declarations of Alexandra S. Bernay and Carla A. Peak, the exhibits to those documents and such other evidence and argument as the Court may consider.

Dated: April 15, 2022

Respectfully submitted,

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CERTIFICATE OF UNCONTESTED MOTION

Pursuant to Eastern District of Pennsylvania Local Rule 7.1(g), I hereby certify that the foregoing Uncontested Motion for an Order: (1) Certifying a Settlement Class; (2) Granting Preliminary Approval of the Settlement Agreement; (3) Appointing Class Counsel; (4) Appointing a Settlement Administrator and Escrow Agent; (5) Approving the Form and Manner of Notice to the Settlement Class; (6) Preliminarily Approving the Plan of Allocation and Distribution; and (7) Scheduling a Fairness Hearing is unopposed by Defendants Johnson & Johnson and Janssen, Biotech, Inc.

s/ Alexandra S. Bernay

ALEXANDRA S. BERNAY

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on April 15, 2022, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the email addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ Alexandra S. Bernay

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