

# EXHIBIT 8

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

In re REMICADE ANTITRUST LITIGATION	)	Civil Action No. 2:17-cv-04326-KSM
_____	)	<b>(Consolidated)</b>
This Document Relates To:	)	<u>CLASS ACTION</u>
INDIRECT PURCHASER ACTIONS.	)	The Honorable Karen S. Marston
_____	)	DECLARATION OF NATALIE FINKELMAN BENNETT FILED ON BEHALF OF MILLER SHAH, LLP IN SUPPORT OF APPLICATION FOR AWARD OF ATTORNEYS' FEES AND EXPENSES

I, Natalie Finkelman Bennett, declare as follows:

1. I am a member of the firm of Miller Shah, LLC (the “Firm”). I am submitting this declaration in support of the application for an award of attorneys’ fees and expenses/charges (“expenses”) in connection with services rendered in the above-entitled action.

2. This Firm is Liaison counsel of record for plaintiffs.

3. The information in this declaration regarding the Firm’s time and expenses is taken from time and expense reports and supporting documentation prepared and/or maintained by the Firm in the ordinary course of business. I am the partner who oversaw and/or conducted the day-to-day activities in the litigation and I reviewed these reports (and backup documentation where necessary or appropriate) in connection with the preparation of this declaration. The purpose of this review was to confirm both the accuracy of the entries as well as the necessity for, and reasonableness of, the time and expenses committed to the litigation. As a result of this review, reductions were made to time entries in the exercise of billing judgment. Based on this review and the adjustments made, I believe that the time reflected in the Firm’s lodestar calculation and the expenses for which payment is sought herein are reasonable and were necessary for the effective and efficient prosecution and resolution of the litigation.

4. After the reductions referred to above, the number of hours spent on the litigation by my Firm is 1610.70. A breakdown of the lodestar is provided in Exhibit A. The lodestar amount for attorney/paraprofessional time based on the Firm’s current rates is \$885,684.00. The hourly rates shown in Exhibit A are consistent with hourly rates submitted by the Firm in other antitrust and complex class action litigation. The Firm’s rates are set based on periodic analysis of rates charged by firms performing comparable work both on the plaintiff and defense side. For personnel who are no longer employed by the Firm, the “current rate” used for the lodestar

calculation is based upon the rate for that person in his or her final year of employment with the Firm.

5. My Firm seeks an award of \$68,354.67 in expenses and charges in connection with the prosecution of the litigation. Those expenses and charges are summarized by category in Exhibit B.

6. The following is additional information regarding certain of these expenses:

(a) Filing, Witness and Other Fees: \$1,680.00. These expenses have been paid to the Court for filing fees for several complaints and pro hac vice admission fees. The vendor who was paid for these services is set forth in Exhibit C.

(b) Transportation, Hotels & Meals: \$2,912.12. In connection with the prosecution of this case, the Firm has paid for travel expenses to, among other things: meet with experts and take or defend depositions. The date, destination, and purpose of each trip is set forth in Exhibit D.

(c) Court Hearing and Deposition Reporting, and Transcripts: \$ 2159.40.

(d) Photocopies: \$295.25. In connection with this case, the Firm made 1181 in-house photocopies, charging \$0.25 per copy for a total of \$295.25. Each time an in-house copy machine is used, our billing system requires that a case or administrative billing code be entered and that is how the 1181 copies were identified as related to this case.

(e) Online Legal Research: \$1,235.37. This category includes vendors such as Westlaw and Pacer. These resources were used to obtain access to court filings, factual databases, legal research, and for cite-checking of briefs. This expense represents the expense incurred by Miller Shah for use of these services in connection with this litigation. The charges for these vendors vary depending upon the type of services requested.

7. The expenses pertaining to this case are reflected in the books and records of this Firm. These books and records are prepared from receipts, expense vouchers, check records, and other documents and are an accurate record of the expenses.

8. The identification and background of my Firm and its partners is attached hereto as Exhibit E.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 30th day of September 2022, at Philadelphia, Pennsylvania.

/s/Natalie Finkelman Bennett  
Natalie Finkelman Bennett

# **EXHIBIT A**

**EXHIBIT A***In re Remicade Antitrust Litigation*, No. 2:17-cv-04326-KSM**MILLER SHAH LLP**

Inception through September 15, 2022

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
Alec Berin	A	1.40	\$475.00	\$665.00
Anna D'Agostino	A	37.20	\$375.00	\$13,950.00
Betsy Ferling	PL	1.60	\$250.00	\$400.00
Emily Finestone	A	37.40	\$475.00	\$17,765.00
Natalie Finkelman	P	336.30	\$950.00	\$319,485.00
Jayne A. Goldstein	P	166.10	\$950.00	\$157,795.00
Henry Graney	PA	226.60	\$215.00	\$48,719.00
Christine Mon	PL	33.60	\$225.00	\$7,560.00
Sue Moss	PL	51.80	\$250.00	\$12,950.00
Michael Ols	A	434.80	\$475.00	\$206,530.00
Casey Yamasaki	A	10.00	\$400.00	\$4,000.00
Pam Cholden	PL	273.90	\$350.00	\$95,865.00
<b><i>TOTAL</i></b>		<b><i>1610.70</i></b>		<b><i>\$885,684.00</i></b>

(P) Partner

(A) Associate

(PL) Paralegal

(PA) Project Analyst

# **EXHIBIT B**



**EXHIBIT B***In re Remicade Antitrust Litigation*, No. 2:17-cv-04326-KSM**MILLER SHAH LLP**

Inception through September 15, 2022

<b><i>CATEGORY</i></b>	<b><i>AMOUNT</i></b>
Filing, Witness and Other Fees	\$1,680.00
Transportation, Hotels & Meals	\$2,912.12
Postage, Overnight Delivery	\$72.53
Court Hearing Transcripts and Deposition Reporting, Transcripts and Videography	\$2,159.40
Photocopies	
In-House: (1181 copies at \$0.25 per page)	\$295.25
Online Legal and Financial Research	\$1,235.37
Litigation Fund Contribution	\$60,000.00
<b><i>TOTAL</i></b>	<b><i>\$68,354.67</i></b>

# **EXHIBIT C**

**EXHIBIT C**

*In re Remicade Antitrust Litigation*, No. 2:17-cv-04326-KSM  
**MILLER SHAH LLP**

Filing and Other Fees: \$1,680.00

<b><i>DATE</i></b>	<b><i>VENDOR</i></b>	<b><i>PURPOSE</i></b>
9/28/2017	USDC, EDPA	Complaint Filing Fee – Case No. 2:17-cv-04326
12/7/2017	USDC, EDPA	Complaint Filing Fee – Case No: 2:17-cv-05481
12/12/2017	USDC, EDPA	Complaint Filing Fee – Case No: 2:17-cv-05570
1/18/2018	USDC, EDPA	PHV Filing Fees – Case No. 2:17-cv-05481
3/13/2018	USDC, EDPA	PHV Filing Fees – Case No. 2:17-cv-04326

# **EXHIBIT D**

**EXHIBIT D**

*In re Remicade Antitrust Litigation*, No. 2:17-cv-04326-KSM  
**MILLER SHAH LLP**

Transportation, Hotels & Meals: \$2,912.12

<b><i>NAME</i></b>	<b><i>DATE</i></b>	<b><i>DESTINATION</i></b>	<b><i>PURPOSE</i></b>
Jayne A. Goldstein	11/14/2019	Washington, DC	Meetings with expert
Natalie Finkelman Bennett	1/23/2020	New York, NY	Deposition of Antoine Pompe Van Meerdervoort
Michael Ols	2/6/2020-2/7/2020	Pittsburgh, PA	Deposition of third- party St. Clair Hospital

# **EXHIBIT E**



Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
www.millersshah.com

### ***Serving Our Clients Worldwide***

Miller Shah LLP (“Miller Shah” or the “Firm”) is a results driven law firm that is focused on delivering the highest level of service possible to our clients throughout the globe. Miller Shah believes that approaching the representation of our clients with considered judgment and candor, as well as the highest degree of courtesy, professionalism and zeal possible, provides the best opportunity for our clients to achieve and exceed their goals in any given matter. Miller Shah is a full-service firm that is able to meet its clients’ needs in virtually any matter. The Firm maintains a number of offices in the United States that are strategically located to serve our clients. In addition, through a highly respected, global network of independent law, fiduciary trust and accounting firms, as well as affiliate offices, Miller Shah is able to effectively meet the needs of its clients throughout the world. Miller Shah retains the culture of a boutique law firm with attorneys and staff working in an interdisciplinary, team-based manner across and between different offices.

### ***Focused On Results***

As part of our mission statement, the Firm ensures that every client receives our best judgment and a clear recommendation in every matter. In other words, although we always discuss and fully describe the array of alternatives available to our clients, we understand the importance of advocates being plain spoken, willing to challenge convention and strategic in their thinking. That is why we make certain that, without mincing words, Miller Shah always provides specific recommendations to each client in clear and straightforward terms regarding the Firm’s judgment as to the best way to achieve the goal at hand.

### ***Motivated by Challenging Issues***

The attorneys, other professionals and staff of Miller Shah are a diverse and accomplished group of individuals who value the professional rewards and other benefits of working in a collegial, team-oriented environment. The attorneys at Miller Shah have earned degrees from a variety of highly-respected colleges and law schools, including the University of California at Berkeley, University of Chicago, Cornell University, Duke University, Emory University, Fordham University, George Washington University, Hastings College of Law, the University of Maryland, the University of Oregon, University of Oxford, the University of Pennsylvania, Pennsylvania State University, Temple University, Trinity College, University of Pittsburgh, Villanova University and Yale University. Many graduated with distinction and were members and editors of their respective schools’ law reviews, moot courts or honor fraternities. Most have served federal or state judicial clerkships, and others hold graduate degrees in law, tax or other disciplines.





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
www.millersshah.com

Our professional staff also is highly experienced and accomplished. At Miller Shah, we believe strongly that the competence and commitment of our non-attorney staff is critical to achieving the excellent client service that we always seek to deliver. We pride ourselves on working collegially together as a Firm while eschewing artificial hierarchy and stilted interactions in favor of a team-oriented environment that fosters creativity and a commitment to excellence.

Comprised of attorneys and staff that are almost exclusively alumni of large firms, Miller Shah team members have a keen understanding of the benefits of working in a boutique environment in which the opinions and contributions of all attorneys and staff are considered and valued. The Firm's clients also recognize these benefits and regularly comment upon Miller Shah's responsiveness and the efficiencies achieved in specific engagements, where the attorneys and staff are clearly and unselfishly committed to the simple goal of achieving an excellent result for the client, while enjoying the opportunity to collaborate with peers in a workplace environment that maximizes the potential of all team members and values the contributions of all.

At Miller Shah, we understand that it is best to approach any case, transaction, trial or other client challenge by obtaining a full understanding of the issues at hand and then engaging in strategic thinking, as well as hard work, to establish, and then meet and exceed, our clients' established goals. At Miller Shah, we are motivated by, and relish, the opportunity to confront challenging issues. That is why we consider it a privilege to work cooperatively with our clients to meet their goals and overcome the inevitable challenges created by complicated transactions and the disputes that clients regularly confront.

### ***Socially Committed and Responsible***

Although superior client service is our overriding aim, at Miller Shah, we also are committed to approaching our practice in a socially responsible manner, while making meaningful contributions to support the communities in which we work, the world at large and the social justice system. The attorneys of Miller Shah have recovered over \$2 billion for our clients in litigation and similar matters, and have been responsible for charitable donations of more than \$100 million in the form of *cy pres* and other donations and gifts to assist those in need, as well as supporting the arts, education and other philanthropic causes. The Firm and its attorneys are also actively involved in *pro bono* cases, having successfully assisted clients in a variety of diverse matters, including civil matters for indigent clients, death penalty appeals, immigration asylum matters and court-appointed prisoner rights cases.







Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
www.millersshah.com

### *Areas of Expertise*

Although Miller Shah is not organized into formal departments or practice areas and, instead, believes that our clients are best served by an interdisciplinary approach ensuring that the best attorneys for a given matter are assigned to meet the client's needs, the following constitute the Firm's more significant practice areas:

- Antitrust, Competition and Trade Regulation
- Business Counseling and Corporate Transactions
- Employee Benefits and Fiduciary Compliance
- Insurance Coverage and Practices
- International Business and Trade
- Private Client Services
- Representative and Collective Litigation
- Arbitration, Mediation and Other ADR Procedures
- Commercial and Other Complex Litigation
- Institutional Investor Services
- Intellectual Property
- Labor and Employment
- Qui Tam, False Claims and Whistleblower Proceedings
- Securities Regulation and Corporate Governance





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
www.millersshah.com

### *Antitrust, Competition and Trade Regulation*

Miller Shah attorneys have broad experience in dealing with the complex legal and economic issues that antitrust, competition and trade regulation questions can present. We offer clients significant litigation and counseling experience in virtually all aspects of antitrust and trade regulation litigation. Our lawyers have successfully represented plaintiffs and defendants in major civil antitrust matters throughout the United States. Miller Shah attorneys also have extensive experience representing parties involved in related criminal, administrative and other regulatory proceedings. In such matters, our team members have extensive experience working with the Department of Justice, the Federal Trade Commission and various State Attorneys General, as well as, upon occasion, international regulatory bodies, including the European Union. Miller Shah also has worked with and represented governmental entities, including the State of Connecticut, in unfair trade practice and related matters. Finally, Miller Shah has represented a number of clients, both businesses and consumers, in unfair trade practice and consumer protection cases throughout the United States in a wide variety of jurisdictions, including in scores of individual and Multi-District Litigation proceedings, in cases arising under the Consumer Legal Remedies Act, the Lanham Act, the Magnuson-Moss Warranty Act, the Racketeer Influenced and Corrupt Organizations Act and the Unfair Competition Law, as well as similar statutes and state laws in over 35 states and the District of Columbia.

The Firm is actively involved in litigation concerning antitrust and unfair competition issues relating to, among other matters, vertical and horizontal price agreements, market allocations, concerted refusals to deal, monopolization, covenants not to compete, price-fixing and tying arrangements, as well as unfair and deceptive trade practice, false advertising and commercial disparagement. Our attorneys, with extensive experience in antitrust law and economics, as well as knowledge of market realities, have represented businesses and individual consumers in antitrust cases in state and federal courts in the United States, as well as related criminal and regulatory proceedings. The Firm's attorneys have successfully prosecuted and defended antitrust cases, including price discrimination cases under the Robinson-Patman Act and price-fixing and tying cases under federal and state antitrust laws, to successful jury verdict.

In antitrust, competition, consumer protection and trade regulation cases, Miller Shah has been appointed lead counsel in over 75 cases in the United States, in recognition of its broad range of experience and the excellent results that it has obtained for its clients in previous engagements.





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
www.millersshah.com

### ***Arbitration, Mediation and Other ADR Proceedings***

Miller Shah considers the use of arbitration, mediation and other alternative dispute resolution (“ADR”) devices to be an integral part of the practice of law and the advice that we provide to our clients. The Firm’s arbitration and mediation practice, and the other ADR strategies that we employ, enable us to achieve results that promote our clients’ goals, reduce the expense and delay associated with resolving disputes, and avoid the distractions that more protracted proceedings may impose upon clients.

Miller Shah lawyers have a broad range of ADR experience in the fields of domestic and international arbitration, direct negotiation, mediation and other customized ADR options, including dispute review boards, med-arbs, mini-trials, private judging and summary jury trials in the fields of antitrust, commercial transactions, construction, consumer and financial transactions, corporate and contract law, employment and labor disputes, intellectual property, insurance, and securities and corporate governance. In addition to regularly representing our clients in these ADR proceedings, Miller Shah attorneys have extensive experience acting as arbitrators, mediators, private judges and settlement counsel.

Members of the Miller Shah team have acted as advocates and/or neutrals in proceedings before the American Arbitration Association, the Federal Mediation and Conciliation Service, the Financial Industry Regulatory Authority f/k/a as the National Association of Securities Dealers and New York Stock Exchange, the Grain and Feed Trade Association in London, the International Centre for Dispute Resolution, the International Chamber of Commerce, Judicial Arbitration and Mediation Services, Inc., both domestically and internationally, and the London Court of International Arbitration, as well as in a number of quasi-public and private ADR proceedings.

### ***Business Counseling and Corporate Transactions***

Miller Shah attorney have extensive experience counseling their business clients in a variety of matters. The Firm’s attorneys have experience in significant transactional work, as well as vast experience providing corporate and business counseling to our clients, including in the areas of business formations, capital markers, contract drafting, sales or purchases of businesses, mergers and consolidations, joint ventures, employee and independent contractor agreements, confidentiality agreements, public and private offerings, stock sale, transfer and other arrangements, severance packages, third party agreements and corporate governance matters. On the rare occasions when a corporate or business matter requires even greater expertise from a transactional, taxation or other perspective, we work with our clients to identify the best co-counsel with which to work on that particular matter and with whom we maintain relationships around the world, and then supervise the work of such counsel to ensure that the client’s needs are being met in cost-effective and efficient manner.





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
www.millersshah.com

Miller Shah acts as outside general counsel for a number of small- to mid-size businesses, as well as certain subsidiaries of overseas corporations. Since the Firm uses a multi-disciplinary, team-oriented approach to staffing all business counseling and corporate transactional work, Miller Shah is able to provide high quality, cost-effective representation for the clients that choose to so engage us. In fact, certain clients have apprised us that, based upon the efficient and business-minded manner in which we approach such matters, it often makes sense for them to engage Miller Shah, even though the Firm may, at times, bill at higher hourly rates than other law firms. Since Miller Shah approaches every engagement based upon the principles of value billing and seeks to reward productivity and outcomes, as opposed to time spent on an engagement, the Firm consistently is informed by its corporate clients that it provides higher quality and lower cost services than many of its competitors, both large and small, that work exclusively or predominantly in the area of business counseling and corporate transactions.

### ***Commercial and Other Complex Litigation***

Miller Shah attorneys have extensive experience handling a wide variety of commercial litigation matters. The attorneys at Miller Shah have decades of experience representing large national and international corporations, as well as smaller businesses and other entities in such matters. The broad range of commercial litigation matters that Miller Shah lawyers have handled include contract disputes, breach of duty claims, abuse of trust cases, business torts, trade disputes, unfair competition claims and related issues, including risk assessment and litigation avoidance. We represent clients in diverse industry sectors, including large publicly traded and international companies, as well as smaller business enterprises in connection with their complex commercial litigation matters. In addition to handling such matters in federal and state courts in the United States, Miller Shah attorneys also have significant experience handling claims in international arbitration forums and with co-counsel in courts outside of the United States. In representing clients in commercial litigation matters, Miller Shah attorneys have recovered hundreds of millions of dollars, including recoveries from governments and state trading entities. Miller Shah attorneys regularly appear in federal and state courts throughout the United States, as well as bankruptcy and appellate courts. In fact, on the appellate front, as a result of our track record of winning many significant and groundbreaking appeals over the last decade, other practitioners regularly approach us and request that we assist them in pursuing or defending appeals in federal and state courts.

The Firm handles commercial litigation pursuant to traditional hourly billing arrangements and, on an increasingly frequent basis, has been retained to handle litigation for corporate plaintiffs on a contingent fee basis. We have found that, while many corporate counsel tend to be reluctant to deviate from tried and true hourly billing procedures, in appropriate circumstances, a contingent fee structure ensures the proper incentives and often works to further the client's interests, while providing desirable incentives to litigate efficiently, maximize recoveries and minimize the length of pretrial proceedings.





Telephone: (866) 540-5505  
 Facsimile: (866) 300-7367  
 www.millersshah.com

### ***Employee Benefits and Fiduciary Compliance***

Miller Shah handles a variety of employee benefits and fiduciary litigation, as well as compliance issues, for our clients -- most of which arise under the Internal Revenue Code and the Employee Retirement Income Security Act of 1974. Miller Shah attorneys have represented employee benefit plan fiduciaries, including plan trustees, as plaintiffs and defendants in a wide variety of employee benefits and fiduciary compliance matters. The Firm's attorneys also have experience working with independent fiduciaries in certain cases. The attorneys at Miller Shah also have represented clients in a number of cases involving Taft-Hartley fund delinquent contributions and similar matters. The Firm has handled a number of novel and ground-breaking ERISA cases, including issues regarding revenue-sharing practices, cash balance and cross-tested plans, common stock declines and stock options with regard to qualified retirement plans, including 401(k), 403(b), 457, profit sharing, money purchase pension, cash balance, annuity, and defined benefit plans.

Most of the employee benefits and fiduciary compliance litigation that Miller Shah handles involving employee benefits and fiduciary compliance occurs in federal district courts in the United States. In such litigation, Miller Shah has significant experience working with the U.S. Department of Labor, as well as the Department of Justice. Miller Shah attorneys also have experience representing the interest of our clients in bankruptcy court and related proceedings in connection with both employee benefits and fiduciary compliance matters.

### ***Institutional Investor Services***

Miller Shah provides a variety of compliance, litigation, monitoring, regulatory and transactional services to institutional investors, including educational and endowment based funds, hedge funds, public and private pension funds and private equity firms. Among the other services that it provides to institutional clients, the Firm performs corporate governance and securities investment monitoring for virtually all of its institutional clients pursuant to which it advises clients when they should consider legal action to protect their rights as shareholders in a corporation. In connection with its Miller Shah Tracker<sup>SM</sup> service, Miller Shah offers the following portfolio services to institutional investor clients: (a) the development of guidelines and policy statements regarding securities and other shareholder litigation, as well as other corporate governance initiatives, to meet fiduciary obligations; (b) the monitoring of securities and related litigation that affects the client's investments; (c) the investigation and evaluation of potential and pending litigation to evaluate the appropriate role, if any, for the client; (d) the preparation of presentations for institutional clients regarding the status of potential and pending litigation and other corporate governance initiatives; (e) provision of updates regarding the settlement or other resolution of litigation, disputes and other initiatives; (f) assistance to clients in completing appropriate claim forms and other documentation to maximize recoveries; and (g) coordination of the holding of certain securities in custodial accounts with a financial institution pursuant to a specialized agreement that Miller Shah was instrumental in crafting to protect offline client interests in appropriate circumstances.





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
www.millersshah.com

### ***Insurance Coverage and Practices***

Miller Shah attorneys have significant experience in handling legal issues related to insurance coverage and practices. Miller Shah attorneys have experience negotiating and litigating with many major U.S. insurance companies, as well as Lloyd's, the London Market and other international insurers. The Firm has achieved outstanding results for our clients across a wide variety of issues and forums. Miller Shah attorneys have handled insurance coverage matters related to business interruption, defamation, health insurance, privacy, advertising, personal injury claims, Directors' and Officers' liability, employment practices liability, environmental cleanup and 'toxic tort' liability, fidelity bonds and crime policies, financial insurance, intellectual property (copyright, trademark and patent infringement), product liability, professional errors and omissions (malpractice) liability, property and valuable articles coverage, 'self-insurance' and workers' compensation insurance. In such matters, Miller Shah attorneys have experience with all principal coverage issues that arise under standard liability and first-party property policies, as well as many specialty coverages, have addressed many of the procedural aspects of insurance coverage litigation, including choice of law, forum non conveniens, party joinder and case management issues, duty-to-defend disputes, and independent counsel and fee-rate limitation issues. Firm members also have extensive experience in handling claims regarding insurance marketing, settlement and payment practices, as well as insurance practices regarding the calculation of benefits. Miller Shah attorneys have played a substantial role in litigating major insurance practice-related claims with respect to automobile insurance loss adjustment practices, burial insurance, health insurance and continuation of benefits issues, title insurance charges and vanishing premium insurance policies.

### ***Intellectual Property***

Miller Shah attorneys have significant experience providing an array of legal services in the areas of patent, copyright, trademark, trade secret, outsourcing, software, technology, restrictive covenants and franchise law. These services include obtaining protection, registrations, amendments and renewals with respect to patents, copyrights, trade secrets, service marks and trademarks. Miller Shah also counsels its clients on licensing, marketing, distribution and other commercial transactions regarding products, services and technologies protectable under international, federal, state or local intellectual property laws. Miller Shah attorneys also have litigated and provided advice about disputes involving the protection and enforcement of rights in patents, trademarks, copyrights, confidential information and trade secrets, technology, covenants not to compete, and other intellectual property. Miller Shah attorneys have significant experience in prosecuting and defending copyright, trademark and patent infringement cases, unfair competition actions, Internet and technology disputes (including those involving software and computer technology), franchise disputes, false advertising claims, litigation concerning trade secrets and restrictive covenants, and other claims relating to intellectual property. Miller Shah attorneys also are well-versed not only on the substance of intellectual property law, but also on federal and state court procedural issues, including obtaining and defending against temporary restraining orders and preliminary injunctions that often are sought in intellectual property actions. Finally, Miller Shah attorneys are proficient in resolving intellectual property disputes through alternative dispute resolution mechanisms, such as arbitration and mediation.





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
www.millersshah.com

### ***International Business and Trade***

Miller Shah represents companies and other business entities based in the United States and overseas in a variety of international business and trade matters. The Firm's attorneys have assisted our foreign and United States clients with organizing foreign subsidiaries, joint ventures, mergers, acquisitions and recapitalizations, manufacturing agreements, sales, leasing and supply agreements, international distribution of goods and services, cross-border technology licensing, licensing agreements and registration of U.S. and foreign trademarks, copyrights and patents, privacy and data protection, as well as Foreign Corrupt Practices Act compliance. Miller Shah attorneys also assist our clients in addressing immigration matters, international estate planning, and real estate acquisition issues to the extent that those needs arise. In addition, the Firm regularly represents a number of clients based overseas in arbitration, mediation, other ADR proceedings and litigation matters.

Miller Shah's International Business and Trade practice works with local counsel in many countries to help clients understand and manage risks posed by different legal systems. As an active member of IAG Global (Integrated Advisory Group), <https://iag.global/>, a consortium of independent law, fiduciary trust and accounting firms in Asia, Canada, Central America, Europe, the Middle East, South America and the United States, Miller Shah is able to effectively meet the needs of its clients on a global basis. As part of its growing international practice, Miller Shah actively encourages its more junior lawyers to actively participate in AIJA (the International Association of Young Lawyers), <http://www.aija.org>, since we understand that, by building and maintaining professional relationships throughout the globe, Miller Shah is able to provide a service level in international matters that is infrequently matched by other boutique firms.

Miller Shah has attorneys fluent or proficient in Cantonese Chinese, Mandarin Chinese, Japanese, French, Italian and Spanish, and many have spent substantial time working outside the United States. Miller Shah attorneys are experienced working internationally and counsel Miller Shah clients on the cultural and legal norms of doing business in various foreign jurisdictions. We also assist our clients to achieve their goals with our team approach and a thorough understanding of their international business needs. Miller Shah attorneys have experience in many areas throughout the world, including Argentina, Australia, Bermuda, Brazil, British Virgin Islands, Canada, Chile, China, Denmark, Dominican Republic, Dubai, France, Germany, Hong Kong, India, Israel, Italy, Japan, Korea, Kuwait, Mexico, the Netherlands, Russia, Singapore, Spain, Switzerland, Taiwan, Turkey, the United Kingdom and Yemen.





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
www.millersshah.com

### ***Labor and Employment***

Miller Shah has a significant and eclectic practice in the field of labor and employment matters. The Firm has represented individuals, companies, governmental entities and other employers, as well as labor organizations, in a wide range of employment and labor litigation, as well as other matters. Miller Shah attorneys have extensive experience counseling and representing their clients in litigation, as well as other disputes and challenges, regarding ERISA and employment benefits, federal and state wage and hour laws, questions regarding H1N1 (swine) flu workforce resources, immigration, international employment, labor-management relations, noncompetition agreements and trade secrets, occupational safety and health, equal employment and affirmative action matters, workplace safety, changes, reductions-in-force and training.

The Firm's attorneys have negotiated collective bargaining agreements, appeared before the National Labor Relations Board, the Equal Employment Opportunity Commission and other fair employment practice agencies, as well as before various mediation and arbitration panels that specialize in employment and labor issues. Miller Shah has vast experience working on a diverse array of employment and labor cases, including cases involving age, defamation, gender, gender dysphoria, race and sexual orientation discrimination, ERISA and benefits matters, breach of contract claims, and wage/hour claims. Miller Shah and its attorneys also have served as lead counsel in a number of wage/hour class actions, as well as discrimination and other employment class actions. In those cases in which the Firm has represented plaintiffs, it has recovered millions of dollars for its clients. Finally, the Firm serves as national labor counsel for several select employers and also is pleased to count a number of local and international labor organizations among its clients.

### ***Private Client Services***

Miller Shah also provides private client services to existing and select clients with respect to domestic and international estate planning, charitable planned giving, trust and estate administration, family law matters, executive compensation, real estate and federal and state tax issues. In addition, upon occasion, the Firm will represent existing clients in personal litigation. In these areas, Miller Shah has a broad range of expertise, having assisted clients in the United States and overseas with significant estate planning issues, having negotiated executive compensation packages, as well as severance packages, for senior executives at U.S. and international concerns, and having assisted existing clients in custody, divorce, guardianship and separation matters arising from family crises or disputes. The Firm also has experience assisting our clients in negotiating and closing real estate transactions, both in the commercial and non-commercial fields. Miller Shah regularly works with accountants and auditors to address federal, state and local tax issues for its clients and has significant experience handling offers in compromise and defending tax proceedings initiated by government entities, including the Internal Revenue Service and the Department of Justice. Miller Shah believes strongly that, when the need arises, its attorneys and other professionals must and should be prepared to assist our clients in these important private matters.







Telephone: (866) 540-5505  
 Facsimile: (866) 300-7367  
[www.millersshah.com](http://www.millersshah.com)

### ***Qui Tam, False Claims and Whistleblower Proceedings***

Miller Shah attorneys have broad experience in handling legal issues related to false claims, whistleblower and qui tam cases under the federal False Claims Act and similar state laws, as well as assisting clients in internal investigations. The federal False Claims Act has proven to be an effective, powerful and, sometimes, frightening tool in fighting Medicare and Medicaid fraud, defense contractor fraud and other types of fraud perpetrated against federal and state governments. The 'qui tam' provisions, which allow whistleblowers to file False Claims Act lawsuits against companies and individuals that allegedly defraud the government with the opportunity to obtain a "bounty," have been a key ingredient in the False Claims Act's success, as the federal government has recovered more than \$15 billion as a result of qui tam lawsuits since 1986, with whistleblowers' rewards totaling more than \$2.5 billion. Miller Shah attorneys have represented clients in a number of significant cases under the False Claims Act. In addition, the Firm has significant experience representing clients in qui tam cases brought under similar state laws against companies and individuals accused of defrauding state and local government agencies. The Firm currently is representing clients in a number of qui tam actions under the False Claims Act and state law, many of which, including several large prosecutions, are 'under seal' and, therefore, cannot be publicly disclosed. Miller Shah similarly has significant experience handling qui tam, false claims and whistleblower cases under the Dodd-Frank Act for alleged securities fraud and related misconduct, as well as the Foreign Corrupt Practices Act, related to alleged bribery of foreign officials and others to secure business preferences overseas. Finally, the Firm's attorney have represented clients performing internal investigations arising from whistleblower complaints and has developed effective, methodological tools to address such matters.

### ***Representative and Collective Litigation***

Miller Shah has a broad range of experience in representing clients in class action and other representative/collective litigation. The attorneys at Miller Shah have been appointed lead counsel in scores of class action and similar cases, and the courts that have appointed Miller Shah in such litigation have consistently recognized the excellent representation provided by Miller Shah in such engagements. Miller Shah attorneys have extensive experience representing the interests of their clients in antitrust, consumer protection, employment discrimination/civil rights, employee benefits, ERISA, fiduciary compliance, housing practices, insurance coverage/practices, securities fraud/breach of fiduciary duty, and wage and hour class action litigation.

In such litigation, Miller Shah attorneys have represented a variety of private and public plaintiffs, including institutional and other significant investors, private companies, officers and directors, other fiduciaries and labor organizations. In such litigation, Miller Shah has been successful in recovering hundreds of millions of dollars for our clients and, in addition, has procured tens of millions of dollars in charitable cy pres donations to worthy organizations as a result of the outcomes that we have achieved. Unlike certain lawyers who exclusively handle class action litigation, we know how to prosecute cases to trial and have extensive experience trying cases. In federal and state courts, as well as arbitral forums, Miller Shah attorneys have tried such cases for both plaintiffs and defendants to successful jury verdict, judgment and award.





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
www.millersshah.com

### *Securities Regulation and Corporate Governance*

Miller Shah has significant experience in the fields of securities regulation and corporate governance. In such matters, Miller Shah has represented a variety of private and public entities, including institutional and other investors, investment managers, hedge funds, public and private pension funds, as well as private companies, officers and directors, and labor organizations. In addition to counseling our clients on matters related to securities regulation and corporate governance, Miller Shah attorneys have litigated complex securities and directors' and officers' liability cases in federal and state courts across the country. Our securities litigation practice is one of the largest and strongest practice areas of the Firm. We have significant trial and appellate experience in the following areas: shareholder class actions; significant shareholder opt-out cases; derivative/director and officer cases and investigations; corporate control contests; regulatory enforcement and criminal prosecution matters. Our attorneys have worked with and against the SEC, Department of Justice and various self-regulatory organizations, including FINRA, in representing our clients. Miller Shah attorneys also have experience with a variety of securities registration and regulation issues under federal and state law and have worked with clients with respect to Blue Sky and other compliance issues. Finally, the Firm has served as lead counsel in a number of securities class action and other corporate governance matters and, in such representations, Miller Shah has recovered tens of millions of dollars for our clients, while achieving important corporate governance reforms.





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
www.millersshah.com

### *Representative Clients*

At Miller Shah, we place our clients' interests first. We strive to provide our clients with thoughtful, comprehensive and high quality legal services at all times. Our diverse client base includes:

Start-up and other smaller companies

Multi-national corporations

Biotechnology and life science concerns

Construction companies

Educational institutions

Healthcare and manufacturing concerns

Hospitality and leisure businesses

Individuals, including significant shareholders, highly compensated employees, consumers, small business owners and professionals

Labor organizations, including local and international labor unions

Private pension funds

Public pension funds

Multi-employer and Taft-Hartley pension funds

Large and mid-size financial institutions

Hedge funds and money managers

International and other significant investors

State and local governmental entities

Technology companies and entrepreneurs





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
www.millersshah.com

### ***Pro Bono, Community Service and Charitable Work***

Miller Shah believes that our attorneys should provide *pro bono* and public interest legal services, as a matter of professional responsibility and in recognition of both the overwhelming need for, and positive outcomes arising from, the provision of such services. Miller Shah attorneys regularly accept unpopular and challenging cases, participating in *pro bono* activities that range from political asylum and death penalty litigation to civil rights, housing, constitutional and mortgage foreclosure class actions to individual civil and criminal matters for low income, disabled and other people who are disadvantaged and in need. Miller Shah also has represented certain non-profit organizations in *pro bono* assignments.

Miller Shah attorneys have contributed thousands of hours of professional time to *pro bono* matters. We believe that our work benefits the clients we serve, the public at large, and our attorneys who develop additional skills and enjoy the great professional fulfillment derived from performing such public service. The Firm actively encourages partners and associates to accept *pro bono* legal assignments and to treat such assignments as matters of the highest priority. In addition to being committed to *pro bono* work, Miller Shah attorneys and staff are highly committed to community services. Miller Shah representatives regularly and actively work on behalf of a number of community organizations, including the Special Olympics, and serve on boards and commissions, including in elected roles, to support the communities in which we work and live. Miller Shah also is committed to charitable work and regularly provides financial support to a number of community and charitable organizations, including YMCA camps and organizations supporting the underprivileged, arts, education and culture. In addition, the Firm is actively engaged in working to promote the donation of cy pres funds from representative proceedings and other litigation. As a direct result of the efforts of Miller Shah attorneys in such matters, more than \$100 million has been donated to charities, public schools, colleges and other educational institutions, and non-profit institutions promoting the social justice system and other good works. The Firm also actively supports the credit internship program of the Cornell University School of Industrial and Labor Relations. At any given time, Miller Shah typically employs one or more full-time interns from the Cornell ILR School to provide these students with practical experience in the workplace related to their chosen field of study. Finally, the Firm actively encourages its attorneys to contribute to the profession through professional writings, service on American Bar Association and state bar committees and support for the bar organizations that assist indigent and other clients obtain access to the justice system.

If you have a question about the Firm's *pro bono*, community service or charitable work or would like us to consider a specific *pro bono* assignment or a community service/charitable work or donation request, please send us an email or other correspondence regarding the same at [probono@millersshah.com](mailto:probono@millersshah.com). If you would like to make arrangements for a cy pres donation with the assistance of Miller Shah or would like to be considered for a cy pres award, please send us an email or other correspondence regarding the same at [cypres@millersshah.com](mailto:cypres@millersshah.com). The appropriate Miller Shah representative will respond to your inquiry as promptly as possible.





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
[www.millersshah.com](http://www.millersshah.com)

### *The Members of our Firm*

As described above, the members of our Firm are an accomplished and diverse group of individuals. On the pages that follow, we have provided individual biographical pages for the members of the Miller Shah team that we anticipate being most significantly devoted to this engagement. If you have any questions or require additional information, please contact us at [info@millersshah.com](mailto:info@millersshah.com).

Attorneys Admitted to Practice Law Before the State and Federal Appellate and Trial Courts of Arizona, California, Connecticut, District of Columbia, Florida, Illinois, New Jersey, New York, Oregon, Pennsylvania and Wisconsin, as well as the Federal Circuit Court of Appeals and the United States Supreme Court

Toll-Free: 866/540-5505 - 877/891-9880  
[www.millersshah.com](http://www.millersshah.com)





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
[www.millersshah.com](http://www.millersshah.com)

**James E. Miller**  
**Connecticut Office**  
**Telephone: 860-526-1100**  
**Facsimile: 866-300-7367**  
**Email: [jemiller@millersshah.com](mailto:jemiller@millersshah.com)**

James E. Miller formed Miller Shah in 2021. Prior to starting Miller Shah, Jim had worked at Shepherd, Finkelman, Miller & Shah, LLP since 2002. Jim is admitted to practice law in the States of California, Connecticut and New Jersey, as well as the Commonwealth of Pennsylvania and numerous federal courts, including the United States District Courts for the Southern District of California, District of Connecticut, Eastern District of Pennsylvania, District of New Jersey, Eastern District of Wisconsin, the United States Court of Appeals for the Third Circuit and Ninth Circuit and the United States Supreme Court. In addition to these courts and jurisdictions, Jim has worked on cases with local and co-counsel nationwide and internationally.

Jim concentrates his practice on whistleblower and securities and corporate governance litigation, as well as significant employment, ERISA, employment benefits, defamation and wage/hour cases. He also has significant experience representing clients in a wide variety of consumer and antitrust class actions and other complex commercial litigation, as well as unsuitable trading, churning and trade disputes in FINRA arbitrations/mediations and before international tribunals. Finally, having begun his career working for the labor movement after majoring in Industrial and Labor Relations at Cornell, Jim serves as labor counsel for certain select clients of the Firm.

Jim earned his undergraduate degree from Cornell University (B.S. 1988) and his law degree from the University of Pennsylvania School of Law (J.D. 1991). While at Penn Law School, he was awarded the Edwin R. Keedy Cup and was Editor of the Comparative Labor Law Journal. Following graduation, he served as Law Clerk to the Honorable Daniel H. Huyett, 3rd, United States District Judge for the Eastern District of Pennsylvania.

Jim began his law practice in 1992 in Philadelphia, Pennsylvania, where his practice concentrated on labor and employment litigation, as well as other complex commercial litigation. In 2000, he relocated with his family to Connecticut where he served in a lead role in several consumer and securities class actions, while also representing both institutional and individual investors in major unsuitable trading and churning cases. In 2002, Jim joined the Firm to open its office in Connecticut. Jim is a member of the National Association of Securities and Consumer Attorneys, National Employment Lawyers Association, the American Bar Association, the Connecticut Bar Association, the New Jersey Bar Association and the Pennsylvania Bar Association. He resides with his family in Chester, Connecticut, where he holds elected office, and is active in community, political and charitable activities.

To learn more about Miller Shah and for biographies of all of its professionals, please visit our website at [www.millersshah.com](http://www.millersshah.com).





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
[www.millersshah.com](http://www.millersshah.com)

**James C. Shah**  
**Pennsylvania Office**  
**Telephone: 610-891-9800**  
**Facsimile: 866-300-7367**  
**Email: [jcshah@millersshah.com](mailto:jcshah@millersshah.com)**

James C. Shah formed Miller Shah in 2021. Prior to forming Miller Shah, Jim had worked at Shepherd, Finkelman, Miller & Shah, LLP since 2000. Jim is admitted to practice law in the States of California, New Jersey, New York, Wisconsin, as well as the Commonwealth of Pennsylvania and numerous federal courts, including the United States District Courts for the Southern District of California, Eastern District of Pennsylvania, District of New Jersey, Eastern District of Wisconsin and the United States Court of Appeals for the Ninth Circuit. In addition to these courts and jurisdictions, Jim has worked on cases with local and co-counsel nationwide and internationally.

Jim concentrates his practice on antitrust, consumer and insurance litigation, as well as complex commercial and employment matters. He also has significant experience representing clients in a wide variety of corporate governance, securities, construction defect, employment and wage/hour cases. Finally, Jim has represented clients in a number of FINRA arbitrations and other proceedings, as well as in a variety of United States and international arbitral and other alternative dispute resolution forums.

Jim earned his undergraduate degree in Political Science from the University of Oregon and his law degree from Temple University School of Law. Jim was a member of Temple's nationally acclaimed Trial Team and also participated on Moot Court. Before joining the Firm, Jim practiced as a litigator in Philadelphia with Pelino & Lentz, P.C., where he concentrated his practice on employment and labor law, securities disputes and general commercial litigation. In 2000, Jim joined forces with Scott Shepherd at which time the Firm was created and, since that time, has been involved in all aspects of the Firm's practice.

Jim is a member of the New Jersey and Pennsylvania Bar Associations, as well as the American Association for Justice, the National Association of Securities and Consumer Attorneys. He resides with his family in Collingswood, New Jersey and is active in community, political and charitable activities.

To learn more about Miller Shah and for biographies of all of its professionals, please visit our website at [www.millersshah.com](http://www.millersshah.com)





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
[www.millersshah.com](http://www.millersshah.com)

**Natalie Finkelman Bennett**  
**Pennsylvania Office**  
**Telephone: 610-891-9800**  
**Facsimile: 866-300-7367**  
**Email: [nfinkelman@millersshah.com](mailto:nfinkelman@millersshah.com)**

Natalie Finkelman Bennett joined Miller Shah in 2021. Prior to joining Miller Shah, Natalie had worked at Shepherd, Finkelman, Miller & Shah, LLP since 2000. Natalie is admitted to practice law in the State of New Jersey, as well as the Commonwealth of Pennsylvania and numerous federal courts, including the United States District Courts for the United States District Courts for the District of New Jersey and Eastern District of Pennsylvania, and in the United States Courts of Appeal for the Third and Ninth Circuit. In addition to these courts and jurisdictions, Natalie has worked on cases with local and co-counsel across the country and worldwide.

Natalie concentrates her practice on antitrust, consumer and insurance litigation, as well as complex commercial matters. She also has significant experiencing representing clients in a wide variety of corporate governance, securities, employment benefit, wage/hour and unfair trade practices cases. In addition, Natalie represents clients in “whistleblower” cases brought under the United States False Claims Act. Finally, Natalie has significant experience representing physicians and physician groups in a wide variety of matters.

Natalie earned her undergraduate degree magna cum laude from the Pennsylvania State University in 1986 and was elected a member of Phi Beta Kappa Honor Society. Natalie earned her law degree magna cum laude from the Temple University School of Law in 1989. She served as the Managing Editor of the Temple Law Review. After clerking for former Chief Judge Farnan of the United States District Court for the District of Delaware, Natalie began working in private practice at Schnader Harrison Segal & Lewis in 1990. At Schnader, she practiced in many areas of complex commercial litigation, including product liability, insurance coverage and defense, antitrust, contract and commercial lease matters. In 1996, Natalie became an associate at the law firm of Mager Liebenberg & White, a well-known firm that specialized in class actions, where her practice was concentrated in antitrust and consumer protection class action litigation. In 1998, Natalie became a Partner in the law firm of Liebenberg & White.

Natalie is a member of the American Bar Association, Pennsylvania Bar Association, Philadelphia Bar Association and the National Association of Consumer Advocates. She also is a former member of the Pennsylvania Bar Association Commission on Women in the Profession and the Temple American Inn of Court. She resides in Wallingford, Pennsylvania with her family and is active in community affairs and charitable activities.

To learn more about Miller Shah and for biographies of all of its professionals, please visit our website at [www.millersshah.com](http://www.millersshah.com).







Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
[www.millersshah.com](http://www.millersshah.com)

**Nathan C. Zipperian**  
**Florida Office**  
**Telephone: 954-515-0123**  
**Facsimile: 866-300-7367**  
**Email: [nczipperian@millersshah.com](mailto:nczipperian@millersshah.com)**

Nathan C. Zipperian joined Miller Shah in 2021. Prior to joining Miller Shah, Nathan had worked at Shepherd, Finkelman, Miller and Shah, LLP since 2005. Nathan is admitted to practice law in the States of Arizona, Florida, New Jersey and Oregon, as well as in the Commonwealth of Pennsylvania and numerous federal courts, including the United States District Courts for the Southern and Middle Districts of Florida, the District of Arizona and the United States Court of Appeal for the Second Circuit. In addition to these courts and jurisdictions, Nathan has worked on cases with local and co-counsel throughout the country and worldwide.

Nathan concentrates his practice on antitrust, consumer and insurance litigation, as well as complex commercial and employment matters. He also has significant experience representing clients in a wide variety of corporate governance, securities, construction defect, employment and wage/hour cases. Finally, Nathan has represented clients in a variety of personal injury and medical malpractice litigation.

Nathan earned his undergraduate degree in Political Science from the University of Oregon and his law degree from the Temple University School of Law. While at Temple, Nathan was an Editor of the Environmental Law and Technology Journal. Before joining Shepherd, Finkelman, Miller & Shah, LLP, Nathan was a litigator in Oregon at Bailey Pinney and Associates, where his practice focused on employee rights, and in Arizona with Martin Hart & Fullerton, where he litigated a wide variety of cases including personal injury, medical malpractice and product liability cases.

Nathan is a member of the American Bar Association, Oregon Bar Association, and Arizona Bar Association. He resides with his family in Weston, Florida and is active in the South Florida community.

To learn more about Miller Shah and for biographies of all of its professionals, please visit our website at [www.millersshah.com](http://www.millersshah.com)





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
[www.millersshah.com](http://www.millersshah.com)

**Laurie Rubinow**  
**Connecticut Office**  
**Telephone: 860-526-1100**  
**Facsimile: 866-300-7367**  
**Email: [lrubinow@millersshah.com](mailto:lrubinow@millersshah.com)**

Laurie Rubinow joined Miller Shah in 2005. She is admitted to practice law in the State of Connecticut, as well as the Commonwealth of Pennsylvania and numerous federal courts, including the United States District Courts for District of Connecticut and the United States Court of Appeals for the First Circuit. In addition to these courts and jurisdictions, Laurie has worked on cases with local and co-counsel nationwide and internationally.

Laurie focuses her practice on representing the Firm's clients in whistleblower cases, as well as antitrust, consumer, complex commercial and insurance litigation. Laurie also has significant experience handling employment, intellectual property and real estate matters. Finally, Laurie is active in the Firm's pro bono work and has represented a number of pro bono clients in federal and state matters.

Laurie earned her undergraduate degree from the University of California at Berkeley, where she was Phi Beta Kappa, graduated summa cum laude, and earned her law degree from Temple University School of Law. She also completed certain of her undergraduate studies at McGill University and, while at Temple Law School, she served as a legal intern with the United States Attorney's Office, the Public Defender's Office, the Pennsylvania Attorney General's Office and for United States Magistrate Judge Powers. In addition, Laurie has received a Certificate in Negotiation, Mediation and Conflict Resolution from the Seton Hall University School of Law. Laurie has a diverse legal background, having worked in private practice as an Associate at a law firm and as a solo practitioner for approximately five years before beginning a career as an in-house attorney at a nationally recognized insurance company, where she worked for approximately eleven years, rising to the position of National Manager. In that position, she was responsible for the management of five regional field offices responsible for defending complex insurance related litigation, including toxic tort and environmental actions. She also has served as an Adjunct Professor in the Department of Sociology at Central Connecticut State University. Laurie joined the Firm's Connecticut office in 2005, where she represents clients in a variety of antitrust, consumer, securities and insurance litigation. Laurie also was actively involved in the Firm's representation of the State of Connecticut in complex litigation against six different pharmaceutical manufacturers.

Laurie is a member of the Chester Bar Association and the Connecticut Bar Association. She resides in Chester, Connecticut with her family and is active in community affairs. Laurie also holds an elected office as a member of the local school board.

To learn more about Miller Shah and for biographies of all of its professionals, please visit our website at [www.millersshah.com](http://www.millersshah.com).





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
[www.millersshah.com](http://www.millersshah.com)

**Jayne A. Goldstein**  
**Florida Office**  
**Telephone: 954-515-0123**  
**Facsimile: 866-300-7367**  
**Email: [jgoldstein@millersshah.com](mailto:jgoldstein@millersshah.com)**

Jayne Arnold Goldstein joined Miller Shah in January 2017 in the firm's Ft. Lauderdale, Florida office. She brings to Miller Shah her expertise in representing individuals, businesses, institutional investors and labor organizations in a variety of complex commercial litigation, including violations of federal and state antitrust and securities laws and unfair and deceptive trade practices. Jayne was lead counsel in *In re Sara Lee Securities Litigation*, and has played a principal role in numerous other securities class actions that resulted in recoveries of over \$100 million.

Jayne began her legal career, in 1986, with a wide-ranging general practice firm in Philadelphia. In 2000, she was a founding shareholder of Mager & White, P.C. and opened its Florida office, where she concentrated her practice on securities, consumer and antitrust litigation. In 2002, the firm became Mager White & Goldstein, LLP. In 2005, Jayne was a founding partner of Mager & Goldstein LLP. Most recently, she was a partner at Pomerantz LLP. Jayne, a registered nurse, received her law degree from Temple University School of Law in 1986 and her Bachelor of Science (highest honors) from Philadelphia College of Textiles and Science. Jayne is a member the Florida Public Pension Trustees Association and the Illinois Public Pension Fund Association. Since 2010, Jayne served as co-chair of P.L.I.'s Class Action Litigation Strategies Annual Conference held in New York. In January 2017 Jayne will chair P.L.I.'s new program Women Lawyers in Leadership, a program she developed. Jayne has been a frequent speaker at Public Pension Fund Conferences having recently appeared on Panels at the Florida Public Pension Trustees' Association and Illinois Public Pension Fund Association.

Jayne is admitted to practice law in the Supreme Court of the United States, the State of Florida, as well as in the Commonwealth of Pennsylvania, State of Illinois and numerous federal courts, including the United States District Courts for the Southern, Northern and Middle Districts of Florida, the Eastern District of Pennsylvania, the Northern District of Illinois, the United States Courts of Appeal for the First, Second, Third and Eleventh Circuits. In addition to these courts and jurisdictions, Jayne has worked on cases with local and co-counsel throughout the country and worldwide.

To learn more about Miller Shah and for biographies of all of its professionals, please visit our website at [www.millersshah.com](http://www.millersshah.com).





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
[www.millersshah.com](http://www.millersshah.com)

**Bruce D. Parke**  
**Pennsylvania Office**  
**Telephone: 610-891-9800**  
**Facsimile: 866-300-7367**  
**Email: [bdparke@millersshah.com](mailto:bdparke@millersshah.com)**

Bruce D. Parke joined Miller Shah in 2008. Bruce is admitted to practice law in Pennsylvania as well as the United States District Court for the Eastern District of Pennsylvania.

Bruce represents clients in complex commercial litigation, including: securities, antitrust, and consumer protection. In addition, he has experience representing clients in employment and ERISA cases. Bruce has participated in some historic class action recoveries including: In re AOL Time Warner, Inc. Securities Litigation (\$2.65 billion), In re McKesson Securities Litigation (\$1.04 billion), In re Broadcom Corporation Securities Litigation (\$150 million), In re Motorola Securities Litigation (\$190 million), In re Raytheon Securities Litigation (\$460 million), and In re Automotive Refinishing Paint Antitrust Litigation (\$105 million).

Bruce earned his undergraduate degree in Administration of Justice from the Pennsylvania State University and his law degree from the Dickinson School of Law of the Pennsylvania State University (J.D. 2002). Prior to joining the firm he was an associate for the law firms of Mager White & Goldstein LLP and Mager & Goldstein LLP where he practiced securities, antitrust, and consumer protection litigation.

To learn more about Miller Shah and for biographies of all of its professionals, please visit our website at [www.millersshah.com](http://www.millersshah.com).





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
[www.millersshah.com](http://www.millersshah.com)

**Ronald S. Kravitz**  
**California Office - San Francisco**  
**Telephone: 415-429-5272**  
**Facsimile: 866-300-7367**  
**Email: [rskravitz@millersshah.com](mailto:rskravitz@millersshah.com)**

Ronald S. Kravitz joined Miller Shah in 2014. He is admitted to practice law in the States of California and Texas and the Commonwealth of Pennsylvania and numerous federal courts, including the United States District Courts for all Districts of California, the Middle District of Florida, the Northern District of Illinois, the Eastern District of Michigan, the Northern District of Ohio, Eastern District of Pennsylvania, the Northern and Southern Districts of Texas, the United States Court of Appeals for the Fourth Circuit, Fifth Circuit, Ninth Circuit and Eleventh Circuit and the United States Supreme Court. In addition to these courts and jurisdictions, Ron has worked on cases with local and co-counsel nationwide and internationally. Ron began his legal career as an Attorney Advisor for the U.S. Department of Justice.

With more than 25 years of experience as legal counsel in complex business litigation matters, his practice has been focused primarily on ERISA, employment, intellectual property, and securities-related matters since 1992. He has represented numerous fiduciaries, third-party plan administrators, broker-dealers, and registered representatives in connection with plan administration and investment matters. Ron has served as lead or co-lead class counsel in numerous ERISA class actions throughout the country.

Ron is a past Chairman of the Integrated Advisory Group (IAG), current co-chair of IAG's Litigation Specialist Group, a regional board member of the Anti-Defamation League and the co-chair of the ABA Employee Benefits Committee Fiduciary sub-committee. In addition, Ron is a Lifetime Fellow of the American Bar Foundation and is active in the University of San Francisco Inn of Court.

To learn more about Miller Shah and for biographies of all of its professionals, please visit our website at [www.millersshah.com](http://www.millersshah.com).





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
[www.millersshah.com](http://www.millersshah.com)

**Kolin C. Tang**  
**California Office - Newport Beach**  
**Telephone: 323-510-4060**  
**Facsimile: 866-300-7367**  
**Email: [kctang@millersshah.com](mailto:kctang@millersshah.com)**

Kolin C. Tang joined Miller Shah in 2009. He is admitted to practice law in the State of California.

At Miller Shah, Kolin concentrates his work on securities and commercial litigation throughout the United States. Kolin plays a key role on the Miller Shah Tracker<sup>SM</sup> team, a group within the Firm that is dedicated to working with attorneys, computer programmers, investment analysts and other staff members to ensure that clients' investment portfolios are appropriately monitored to identify losses arising from corporate fraud and other misconduct, as well as to recommend the level of participation a given situation requires and recover funds obtained on clients' behalf through appropriate action. In addition to his work in securities and commercial litigation, Kolin also performs significant work in the Firm's growing whistleblower practice, on both cases arising in the United States and overseas.

Kolin received his undergraduate degree in Economics and History with honors from the University of California at Berkeley, and earned his law degree from The George Washington University Law School in 2011, where he was a member of The George Washington International Law Review. As a summer associate with Miller Shah in 2009 and 2010, Kolin worked on antitrust, consumer fraud, and securities cases. He has also worked as a legal intern at the Federal Trade Commission, where he was involved with antitrust and consumer protection issues. Currently, Kolin's practice is focused on representing clients in securities, complex litigation and whistleblower matters.

Kolin is a member of the American Bar Association and currently resides in Santa Ana, California.

To learn more about Miller Shah and for biographies of all of its professionals, please visit our website at [www.millersshah.com](http://www.millersshah.com).





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
[www.millersshah.com](http://www.millersshah.com)

**Chiharu G. Sekino**  
**California Office - San Diego**  
**Telephone: 619-235-2416**  
**Facsimile: 866-300-7367**  
**Email: [cgsekino@millersshah.com](mailto:cgsekino@millersshah.com)**

Chiharu G. Sekino joined Miller Shah in 2008. She is admitted to practice law in the State of California. At Miller Shah, she concentrates her work on securities litigation throughout the country and other matters pending in California courts. Chiharu plays a key role on the Miller Shah Tracker<sup>SM</sup> team, a group within the Firm that is dedicated to working with attorneys, computer programmers, investment analysts and other staff members to ensure that clients' investment portfolios are appropriately monitored to identify losses arising from corporate fraud and other misconduct, as well as to recommend the level of participation a given situation requires and recover funds obtained on clients' behalf through appropriate action. Her work as an Associate focuses primarily on securities litigation, class action cases and other litigation. Chiharu also handles all aspects of discovery, including in conducting surveys, and assists in preparing and filing pleadings. Finally, Chiharu is involved in a variety of whistleblower cases around the world.

Chiharu earned her Bachelor of Arts degree from the University of California at San Diego, where she double-majored in Political Science and Japanese Studies. She also is a graduate of Independence High School (San Jose, CA) and received a Diploma from the Grossman Academy, where she pursued special studies in Japanese to English translations. Chiharu is Bilingual (Japanese/English), resides in San Diego and is active in community affairs. She tutors elementary school children and also is a volunteer for CASA (the Court Appointed Special Advocate Program), an organization that advocates for children who have been abused and/or neglected and are under the protection of the court system.

While working for the Firm, she concurrently received her law degree from California Western School of Law, graduating cum laude, and a Masters in Social Work from San Diego State University in 2015. She was a member of The California Western Law Review and served as a Law Clerk for the San Diego Public Defender's Office, Juvenile Division and San Diego Volunteer Lawyer Program. She also provided individual counseling to students as a social work intern at Monroe Clark Middle School.

To learn more about Miller Shah and for biographies of all of its professionals, please visit our website at [www.millersshah.com](http://www.millersshah.com).





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
[www.millersshah.com](http://www.millersshah.com)

**Tina M. Coutavas**  
**Pennsylvania Office**  
**Telephone: 610-891-9800**  
**Facsimile: 866-300-7367**  
**Email: [tmcoutavas@millersshah.com](mailto:tmcoutavas@millersshah.com)**

Tina M. Coutavas joined Miller Shah in 2019. Tina concentrates her practice on complex commercial litigation, including antitrust, securities, and consumer protection class actions. She is admitted to practice law in the Commonwealth of Pennsylvania, the State of New Jersey, the United States District Court for the Eastern District of Pennsylvania, the District of New Jersey, and in the United States Courts of Appeal for the Third Circuit. Prior to joining Miller Shah, Tina was an attorney with Law Offices Bernard M. Gross, PC, where she participated in a wide array of class actions that resulted in favorable results on behalf of plaintiffs.

Tina earned her undergraduate degree from Ursinus College and earned her law degree from the Dickinson School of Law of the Pennsylvania State University. During law school, Tina was a member of the Dickinson Law Review and a student attorney for the Dickinson Family Law Clinic which provided legal services to indigent clients.

Tina is a member of the Pennsylvania Bar Association. She also serves as President of her condominium association and is a local Volunteer Advocate for a national non-profit organization that promotes medical research, education and awareness of hereditary breast cancer. As a first-generation American, Tina strives to maintain the traditions of her Hellenic heritage and is an active steward of her Greek Orthodox church.

To learn more about Miller Shah and for biographies of all of its professionals, please visit our website at [www.millersshah.com](http://www.millersshah.com).







Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
[www.millersshah.com](http://www.millersshah.com)

**Alec J. Berin**  
**Pennsylvania Office**  
**Telephone: 610-891-9800**  
**Facsimile: 866-300-7367**  
**Email: [ajberin@millersshah.com](mailto:ajberin@millersshah.com)**

Alec began working for Miller Shah as a project analyst in 2015 and joined as an attorney for the firm in August 2019. Alec is admitted to practice law in the Commonwealth of Pennsylvania. Alec earned his Bachelor of Science from Cornell University and graduated with honors from the George Washington University Law School, where he served as an Articles Editor of the George Washington International Law Review and Research Associate with the Center for Law, Economics & Finance. While at GW Law, Alec was named a Paul A. Volcker Scholar, an award for excellence in the study of financial regulatory law and commitment to public service.

Additionally, Alec interned in the Enforcement Division of the U.S. Securities and Exchange Commission. With Miller Shah, Alec focuses on securities, ERISA, and federal false claims matters.

To learn more about Miller Shah and for biographies of all of its professionals, please visit our website at [www.millersshah.com](http://www.millersshah.com).





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
[www.millersshah.com](http://www.millersshah.com)

**John C. Roberts**  
**Pennsylvania Office**  
**Telephone: 610-891-9800**  
**Facsimile: 866-300-7367**  
**Email: [jcroberts@millersshah.com](mailto:jcroberts@millersshah.com)**

John began working for Miller Shah as a project analyst in 2015 and joined as an attorney for the firm in August 2019. John graduated from The George Washington University Law School in May 2019, where he was a member of the Federal Communications Law Journal and the Labor and Employment Law Society. He earned his Bachelor of Science degree from Cornell University in 2016, where he majored in Industrial and Labor Relations.

At Miller Shah, John works on various litigation matters including False Claims Act cases, consumer litigation, and wage/hour issues.

To learn more about Miller Shah and for biographies of all of its professionals, please visit our website at [www.millersshah.com](http://www.millersshah.com).





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
[www.millersshah.com](http://www.millersshah.com)

**Casey T. Yamasaki**  
**California Office – San Diego**  
**Telephone: 866-540-5505**  
**Facsimile: 866-300-7367**  
**Email: [ctyamasaki@millersshah.com](mailto:ctyamasaki@millersshah.com)**

Casey T. Yamasaki began working for Miller Shah as a project analyst in 2016 and joined as an attorney in August 2020. Casey graduated from University of Washington School of Law, where she was a Gregoire Fellow and Editor in Chief of the Washington International Law Journal. She also worked with the law school's Tribal Court Clinic as a public defender for the Tulalip Tribe and as an advocate for families of the Muckleshoot Tribe. She earned her Bachelor of Science degree from Cornell University, where she majored in Industrial and Labor Relations, with a minor in Law and Society. At Miller Shah, Casey concentrates on various complex litigation matters, with a focus on employment and wage/hour issues, as well as corporate work for both U.S. and international corporations.

To learn more about Miller Shah and for biographies of all of its professionals, please visit our website at [www.millersshah.com](http://www.millersshah.com).





Telephone: (866) 540-5505  
Facsimile: (866) 300-7367  
[www.millersshah.com](http://www.millersshah.com)

**Anna K. D'Agostino**  
**New York Office**  
**Telephone: 866-540-5505**  
**Facsimile: 866-300-7367**  
**Email: [akdagostino@millersshah.com](mailto:akdagostino@millersshah.com)**

Anna K. D'Agostino began working for Miller Shah as a project analyst in 2017 and joined as an attorney in August 2021. Anna graduated from New York University of Law, where she was Editor in Chief of the New York University Journal of International Law & Politics. She earned her Bachelor of Art degree from Fordham University, where she majored in International Political Economy and Spanish Language & Literature. At Miller Shah, Anna concentrates her practice on complex litigation matters, with a particular focus on ERISA, securities, and international litigation.

To learn more about Miller Shah and for biographies of all of its professionals, please visit our website at [www.millersshah.com](http://www.millersshah.com).



# EXHIBIT 9

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: ) CLASS ACTION  
 )  
INDIRECT PURCHASER ACTIONS. ) The Honorable Karen S. Marston  
\_\_\_\_\_ )  
[PROPOSED] ORDER APPROVING  
(1) ATTORNEYS' FEES AND EXPENSES;  
AND (2) SERVICE AWARDS

This Court, having considered Plaintiffs' motion for (1) Award of Attorneys' Fees and Expenses; and (2) Service Awards, having held a fairness hearing on February 27, 2023, having considered all of the submissions and arguments with respect to the motion, and having ruled on the motion, ORDERS as follows:

1. The Court awards to Class Counsel reasonable and appropriate attorneys' fees in the amount of \$7 million, which is 28% of the Settlement Fund.

2. Class Counsel, Robbins Geller Rudman and Dowd LLP, shall allocate the attorneys' fee award among additional moving Class Counsel based on its reasonable assessment of the relative contributions of such counsel to the prosecution of the Action on behalf of the Class.

3. The Court awards to Plaintiffs' Counsel reasonable expenses in the amount of \$2,288,388.90, which were necessarily incurred in the prosecution of this Action.

4. The Court awards Service Awards in the amounts of \$15,000 and \$15,600 to Plaintiffs National Employees Health Plan and Local 295 IBT Employer Group Welfare Fund, respectively.

5. Without affecting the finality of this Order in any respect, this Court reserves jurisdiction over any matters related to or ancillary to this Order.

6. Finding that there is no just reason for delay, this Order shall constitute a final judgment pursuant to Rule 54(b) of the Federal Rules of Civil Procedure. The Clerk of the Court is directed to enter this Order on the docket.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE KAREN S. MARSTON  
UNITED STATES DISTRICT JUDGE

# EXHIBIT 10



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: ) CLASS ACTION  
 )  
INDIRECT PURCHASER ACTIONS. ) The Honorable Karen S. Marston  
\_\_\_\_\_ )  
[PROPOSED] ORDER APPROVING PLAN  
OF ALLOCATION AND DISTRIBUTION

This matter having come before the Court on February 27, 2023, on Plaintiffs' motion for approval of the Plan of Allocation and Distribution in this Action, the Court having considered all papers filed, and proceedings had herein, and otherwise being fully informed of the matter;

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

1. This Order incorporates by reference the definitions in the Stipulation of Class Action Settlement, dated April 15, 2022 (the "Settlement Agreement"), and all capitalized terms used, but not defined herein, shall have the same meanings as set forth in the Settlement Agreement.

2. Pursuant to and in full compliance with Rule 23 of the Federal Rules of Civil Procedure, this Court hereby finds and concludes that due and adequate notice was directed to all persons who are Settlement Class Members who could be identified with reasonable effort, advising them of the Plan of Allocation and Distribution, and of their right to object thereto, and a full and fair opportunity was accorded to all persons and entities who are Settlement Class Members to be heard with respect to the Plan of Allocation and Distribution.

3. The Court finds and concludes that the formula for the calculation of the claims of Authorized Claimants which is set forth in the Notice sent to Settlement Class Members provides a fair and reasonable basis upon which to allocate the proceeds of the Net Settlement Fund established pursuant to the Settlement Agreement among the Settlement Class Members, with due consideration having been given to administrative convenience and necessity.

4. This Court finds and concludes that the Plan of Allocation and Distribution, as set forth in the Notice, is, in all respects, fair and reasonable, and the Court approves the Plan of Allocation and Distribution.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE KAREN S. MARSTON  
UNITED STATES DISTRICT JUDGE

# EXHIBIT 11

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: ) CLASS ACTION  
 )  
INDIRECT PURCHASER ACTIONS. ) The Honorable Karen S. Marston  
\_\_\_\_\_ ) [PROPOSED] FORM OF JUDGMENT

WHEREAS, Plaintiffs Local 295 IBT Employer Group Welfare Fund and National Employees Health Plan (the “Named Plaintiffs” or “Plaintiffs”), on behalf of themselves and the other Settlement Class Members, and Defendants Johnson & Johnson and Janssen Biotech, Inc. together with their affiliates and subsidiaries (“Defendants,” and together with Plaintiffs, the “Parties”) have determined to settle all claims asserted against Defendants and their predecessors, successors, assigns, subsidiaries, and affiliates, in this Action with prejudice on the terms and conditions set forth in the Stipulation of Class Action Settlement (the “Settlement Agreement”), subject to approval of this Court (the “Settlement”);

WHEREAS, unless otherwise defined in this Judgment, the capitalized terms herein shall have the same meaning as they have in the Settlement Agreement;

WHEREAS, by the Class Settlement Preliminary Approval Order dated August 2, 2022 (the “Preliminary Approval Order”), this Court: (i) preliminarily approved the Settlement; (ii) ordered that Notice of the proposed Settlement be provided to the Settlement Class; (iii) provided Settlement Class Members with the opportunity to object to the proposed Settlement; (iv) provided Settlement Class Members with the opportunity to exclude themselves from the Settlement Class; and (v) scheduled a Fairness Hearing regarding final approval of the Settlement;

WHEREAS, due and adequate notice has been given to the Settlement Class;

WHEREAS, the Court conducted a hearing on February 27, 2023 (the “Fairness Hearing”) to consider, among other things: (i) whether the terms and conditions of the Settlement are fair, reasonable, and adequate to the Settlement Class, and should therefore be approved; and (ii) whether a judgment should be entered dismissing the Action with prejudice as against Defendants; and

WHEREAS, the Court having reviewed and considered the Settlement Agreement, all papers filed and proceedings held herein in connection with the Settlement, all oral and written comments received regarding the Settlement, and the record in the Action, and good cause appearing therefor;

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. **Jurisdiction:** The Court has jurisdiction over the subject matter of the Action, and all matters relating to the Settlement, as well as personal jurisdiction over all of the Parties and each of the Settlement Class Members.

2. **CAFA Notice:** The notice provisions of the Class Action Fairness Act, 28 U.S.C. §1715, have been satisfied.

3. **Incorporation of Settlement Documents:** This Judgment incorporates and makes a part hereof: (i) the Settlement Agreement filed with the Court on April 15, 2022; and (ii) the Form of Summary Notice of Settlement and the Form of Long-Form Notice of Settlement, both of which were filed with the Court on April 15, 2022.

4. **Class Certification for Settlement Purposes:** Pursuant to Rule 23(a) and 23(b)(3) of the Federal Rules of Civil Procedure, and based on the record before the Court, the Court certifies, for the purposes of settlement only, the following Settlement Class:

All persons and entities in the United States and its territories who indirectly purchased, paid and/or provided reimbursement for some or all of the purchase price of Defendants' infliximab from April 5, 2016 through February 28, 2022 (the "Class Period").

The following groups are excluded from the Class:

(a) Defendants, their officers, directors, management, employees, subsidiaries and affiliates; (b) all federal and state governmental entities except for cities, towns or municipalities with self-funded prescription drug plans; (c) all persons or entities who purchased Defendants' infliximab for purposes of resale or who purchased infliximab directly from Defendants; (d) fully insured health plans (*i.e.*, health plans that purchased insurance covering 100% of their reimbursement obligation to members); (e) any "flat co-pay" consumers whose purchases of Defendants' infliximab were paid in part by a third-party payor and whose co-payment was the same regardless of the retail purchase price; (f) pharmacy benefit managers; (g) any judges or justices involved in this Action and any members of their immediate families; and (h) any providers (including but not limited to hospitals, clinics, and physicians) who purchase Remicade and are later reimbursed for the provision of Remicade.

5. The Court finds that the requirements of Rules 23(a), 23(b)(3), and 23(g) of the Federal Rules of Civil Procedure are satisfied for settlement purposes as follows:

(a) Pursuant to Rule 23(a)(1) of the Federal Rules of Civil Procedure, the Court determines that the Settlement Class Members are so numerous that their joinder before the Court would be impracticable;

(b) Pursuant to Rule 23(a)(2) of the Federal Rules of Civil Procedure, the Court determines that there are one or more questions of fact or law common to the Settlement Class;

(c) Pursuant to Rule 23(a)(3) of the Federal Rules of Civil Procedure, the Court determines that Plaintiffs' claims are typical of the claims of the Settlement Class;

(d) Pursuant to Rule 23(a)(4) of the Federal Rules of Civil Procedure, the Court determines that Plaintiffs will fairly and adequately protect the interests of the Settlement Class. Plaintiffs are certified as class representatives of the Settlement Class;

(e) Pursuant to Rule 23(b)(3) of the Federal Rules of Civil Procedure, the Court determines that common questions of law and fact predominate over questions affecting only individual Settlement Class Members;

(f) Pursuant to Rule 23(b)(3) of the Federal Rules of Civil Procedure, the Court determines that a class action is superior to other available methods for the fair and efficient adjudication of this Action; and

(g) Pursuant to Rule 23(g) of the Federal Rules of Civil Procedure, Class Counsel are certified as class counsel for the Settlement Class.

6. The Court's certification of the Settlement Class, and certification of Plaintiffs as class representatives of the Settlement Class, as provided herein is without prejudice to, or waiver of, the rights of any Defendant to contest any other request by Plaintiffs to certify a class. The Court's findings in this Judgment shall have no effect on the Court's ruling on any motion to certify any

class or appoint class representatives in this litigation, and no party may cite or refer to the Court's approval of the Settlement Class as binding or persuasive authority with respect to any motion to certify such class or appoint class representatives.

7. **Settlement Notice:** The Court finds that the dissemination of the Summary Notice of Settlement and the Long-Form Notice of Settlement: (i) were implemented in accordance with the Preliminary Approval Order; (ii) constituted the best notice practicable under the circumstances; (iii) constituted notice that was reasonably calculated under the circumstances to apprise Settlement Class Members of (a) the effect of the proposed Settlement (including the Releases to be provided thereunder), (b) their right to object to any aspect of the Settlement, and (c) their right to appear at the Fairness Hearing; (iv) constituted due, adequate, and sufficient notice to all persons and entities entitled to receive notice of the proposed Settlement; and (v) satisfied the requirements of Rule 23 of the Federal Rules of Civil Procedure, the United States Constitution (including the Due Process Clause), and all other applicable law and rules.

8. **Final Settlement Approval and Dismissal of Claims:** Pursuant to, and in accordance with, Rule 23 of the Federal Rules of Civil Procedure, this Court hereby fully and finally approves the Settlement set forth in the Settlement Agreement in all respects (including, without limitation, the Releases provided for therein and the dismissal with prejudice of the claims asserted against Defendants in the Action), and finds that the Settlement is, in all respects, fair, reasonable, and adequate to the Settlement Class after considering the factors set out in *Girsh v. Jepsen*, 521 F.2d 153, 157 (3d Cir. 1975) and Rule 23(e)(2) of the Federal Rules of Civil Procedure.

9. All of the claims asserted against Defendants in the Action by Plaintiffs and the other Settlement Class Members are hereby dismissed with prejudice. The Parties shall bear their own costs and expenses, except as otherwise expressly provided in the Settlement Agreement.



10. **Binding Effect:** The terms of the Settlement Agreement and of this Judgment shall be binding on Defendants, Defendants' Released Persons, Plaintiffs, and Plaintiffs' Released Persons. The persons listed on Exhibit 1 hereto are excluded from the Settlement Class pursuant to request.

11. **Releases:** The Releases set forth in §4 of the Settlement Agreement, together with the definitions contained in §1 of the Settlement Agreement relating thereto, are expressly incorporated herein in all respects. The Releases are effective as of the Effective Date. Accordingly, this Court orders that:

(a) Without further action by anyone, and subject to ¶13 of this Judgment, upon the Effective Date of the Settlement, Plaintiffs, the Plaintiffs' Released Persons, and each of the Settlement Class Members, on behalf of themselves, and their respective heirs, executors, administrators, predecessors, successors, and assigns in their capacities as such, shall be deemed to have, and by operation of law and of this Judgment shall have, fully, finally, and forever compromised, settled, released, resolved, relinquished, waived, and discharged each and every one of the Plaintiffs' Released Claims<sup>1</sup> against Defendants and the Defendants' Released Persons, and shall forever be enjoined from prosecuting any or all of the Settled Claims against any of the Defendants' Released Persons.

---

<sup>1</sup> "Plaintiffs' Released Claims" means any and all claims, demands, damages, harm, injuries, actions, causes of action, suits, proceedings, matters, or disputes, of any kind whatsoever, whether known or unknown, suspected or unsuspected, accrued or unaccrued, and contingent or non-contingent, which now exist or have existed upon any theory of law or equity (whether contractual, common law, statutory, federal, state, local, or otherwise, including but not limited to any claims for compensatory or punitive damages, or for attorneys' fees, costs, or disbursements of any kind) against Defendants arising prior to February 28, 2022 that relate in any way to any antitrust, unfair competition, consumer protection, Lanham Act or similar common law cause of action regarding Remicade, Inflectra, or any other infliximab product that was asserted or could have been asserted based on the facts alleged in the Action or based on alleged misleading promotional activities by Defendants relating to Remicade or any infliximab biosimilars that were the subject of discovery in the Action.

(b) Without further action by anyone, and subject to ¶13 of this Judgment, upon the Effective Date of the Settlement, Defendants and the Defendants' Released Persons, on behalf of themselves, and their respective heirs, executors, administrators, predecessors, successors, and assigns in their capacities as such, shall be deemed to have, and by operation of law and of this Judgment shall have fully, finally, and forever compromised, settled, released, resolved, relinquished, waived, and discharged each and every of the Defendants' Released Claims<sup>2</sup> against Plaintiffs and the Plaintiffs' Released Persons, and shall forever be enjoined from prosecuting any or all of the Defendants' Released Claims against Plaintiffs and any of the Plaintiffs' Released Persons.

12. Although the foregoing release is not a general release, such release constitutes a waiver of §1542 of the California Civil Code and any similar statutes (to the extent they apply to the Action). Section 1542 provides as follows:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, AND THAT, IF KNOWN BY HIM OR HER, WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASING PARTY.

13. Notwithstanding ¶¶11(a)-(b) of this Judgment, nothing in this Judgment shall bar any action by any of the Parties to enforce or effectuate the terms of the Settlement Agreement or this Judgment.

---

<sup>2</sup> "Defendants' Released Claims" means the Defendants' release of Plaintiffs' Released Persons, and all other members of the Class, of all claims, demands, actions, causes of action, allegations, rights, obligations, costs, losses, and damages arising in whole or in part from or in connection with the acts or omissions of any of the Plaintiffs' Released Persons of any and every kind or nature, whether in law or in equity, in tort or contract, or arising under any statute or regulation, whether known or Unknown Claims, based upon the institution, prosecution, or Settlement of the claims asserted in the Action, except for claims relating to the enforcement of the Settlement.

14. **Rule 11 Findings:** The Court finds and concludes that the Parties and their respective counsel have complied in all respects with the requirements of Federal Rule of Civil Procedure 11 in connection with the institution, prosecution, defense, and settlement of the Action.

15. **No Admissions:** Neither this Judgment, the Settlement Agreement (whether or not consummated), including the exhibits thereto, the negotiations leading to the execution of the Settlement Agreement, nor any proceedings taken pursuant to or in connection with the Settlement Agreement and/or approval of the Settlement (including any arguments proffered in connection therewith) shall be:

(a) offered against Defendants or any of the Defendants' Released Persons as evidence of, or construed as, or deemed to be evidence of any presumption, concession, or admission by Defendants or any of the Defendants' Released Persons of the truth of any fact alleged by Plaintiffs, the validity of any claim that was or could have been asserted or the deficiency of any defense that has been or could have been asserted in this Action or in any other litigation, or of any liability, negligence, fault, or other wrongdoing of any kind of Defendants or any of the Defendants' Released Persons, other than such proceedings as may be necessary to effectuate the provisions of this Settlement Agreement; or

(b) offered against Plaintiffs or any of the Plaintiffs' Released Persons as evidence of, or construed as, or deemed to be evidence of any presumption, concession, or admission by Plaintiffs or any of the Plaintiffs' Released Persons that any of their claims are without merit or that Defendants or any of the Defendants' Released Persons had meritorious defenses, other than such proceedings as may be necessary to effectuate the provisions of this Settlement Agreement.

16. **Retention of Jurisdiction:** Without affecting the finality of this Judgment in any way, this Court retains continuing and exclusive jurisdiction over: (i) the Parties for purposes of the

administration, interpretation, implementation, and enforcement of the Settlement; and (ii) the Settlement Class Members for all matters relating to the Action.

17. Separate orders shall be entered regarding approval of a Plan of Allocation and Distribution and the motion of Class Counsel for an award of Attorneys' Fees and Expenses. Such orders shall in no way affect or delay the finality of this Judgment and shall not affect or delay the Effective Date of the Settlement.

18. **Modification of the Settlement Agreement:** Without further approval from the Court, Plaintiffs and Defendants are hereby authorized to agree to and adopt such amendments or modifications of the Settlement Agreement or any exhibits attached thereto to effectuate the Settlement that: (i) are not materially inconsistent with this Judgment; and (ii) do not materially limit the rights of Settlement Class Members in connection with the Settlement. Without further order of the Court, Plaintiffs and Defendants may agree to reasonable extensions of time to carry out any provisions of the Settlement.

19. **Termination of Settlement:** If the Settlement is terminated as provided in the Settlement Agreement, this Judgment shall be vacated, rendered null and void and be of no further force and effect, except as otherwise provided by the Settlement Agreement, and this Judgment shall be without prejudice to the rights of Plaintiffs, the other Settlement Class Members, and Defendants, and the Parties shall revert to their respective positions in the Action as of February 28, 2022, as provided in the Settlement Agreement.

20. **Entry of Final Judgment:** There is no just reason to delay the entry of this Judgment as a final judgment in this Action. Accordingly, the Clerk of the Court is expressly directed to immediately enter this final judgment in this Action.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE KAREN S. MARSTON  
UNITED STATES DISTRICT JUDGE