

**If you are a dispenser of drugs in the U.S. that purchased one or more Drugs at Issue from January 1, 2010, through March 5, 2024, you may be entitled to benefits from a Settlement.**

*A federal court authorized this notice. This is not a solicitation from a lawyer.*

- A \$5.5 million Settlement has been reached in a class action antitrust lawsuit filed on behalf of the Indirect Reseller Plaintiffs and Defendant Apotex Corp. (“Apotex” or “Settling Defendant”). The Settlement only applies to the Settling Defendant Apotex Corp. and does not dismiss the legal claims against other Defendants in the lawsuit entitled *In re Generic Pharmaceuticals Pricing Antitrust Litigation*, Case No. 16-md-2724 (E.D. Penn.).
- If approved by the Court, the Settlement will resolve a lawsuit over whether Apotex participated in one or more unlawful conspiracies to raise, fix, maintain, and/or stabilize prices, rig bids, and allocate markets and customers for Drugs at Issue in violation of Section 1 of the Sherman Act and various state antitrust, unfair competition, unjust enrichment, and consumer protection laws.
- You are a “Settlement Class Member” if you satisfy the following: All dispensers of drugs (including Clinics, Hospitals and Independent Pharmacies) in the United States and its territories that purchased one or more Drugs at Issue from January 1, 2010 through March 5, 2024, including (a) those that purchased directly from distributor AmerisourceBergen Drug Corporation, Cardinal Health, Inc., Red Oak Sourcing, LLC, The Harvard Drug Group, LLC, HD Smith LLC, McKesson Corporation, Morris & Dickson Co., LLC or Walgreens Boot Alliance, Inc. or their subsidiaries; and (b) those that purchased indirectly from any Defendant in the MDL.
- The Drugs at Issue include any dosage or formulation of any drug that is the subject of the lawsuit whether or not it includes Apotex.
- Apotex is required to pay \$5,537,000. In addition to this monetary payment, Apotex has agreed to provide specified cooperation in the continuing prosecution of the lawsuit.
- The Court has not decided whether Apotex did anything wrong, and Apotex denies any wrongdoing.

**This Notice may affect your rights. Please read it carefully.**

YOUR LEGAL RIGHTS AND OPTIONS		DEADLINE
<b>EXCLUDE YOURSELF</b>	Get no Settlement benefits but keep your right to file your own lawsuit against Apotex regarding the legal claims in this lawsuit.	<b>Postmarked by January 16, 2025</b>
<b>OBJECT TO THE SETTLEMENT</b>	Write to the Court about why you do not like the Settlement. You will still be bound by the Settlement if the Court approves it.	<b>Postmarked by January 16, 2025</b>
<b>SUBMIT A CLAIM FORM</b>	The only way to get Settlement benefits is to submit a timely and valid Claim Form.	
<b>DO NOTHING</b>	Get no Settlement benefits. You will give up your rights to sue Apotex regarding the legal claims in this lawsuit and you will be bound by the judgment.	

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court must decide whether to approve the Settlement and the requested attorneys’ fees and expenses. Settlement benefits will not be provided unless the Court approves the Settlement.

**Questions? Go to [www.GenericPharmaceuticalsAntitrust.com](http://www.GenericPharmaceuticalsAntitrust.com) or call 1-877-644-0182**

## BASIC INFORMATION

### 1. Why is this Notice being provided?

A court authorized this Notice because you have the right to know about the Settlement of this class action lawsuit and about all of your rights and options before the Court decides whether to grant final approval to the Settlement. This Notice explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for the benefits, and how to get them.

### 2. What is this lawsuit about?

The Honorable Cynthia M. Rufe of the United States District Court for the Eastern District of Pennsylvania is overseeing this class action. The lawsuit is known as *In re Generic Pharmaceuticals Pricing Antitrust Litigation*, Case No. 16-md-2724 (the “lawsuit”).

The Indirect Reseller Plaintiffs (“Plaintiffs”) allege that the Defendants participated in one or more unlawful conspiracies to raise, fix, maintain, and/or stabilize prices, rig bids, and allocate markets and customers for Drugs at Issue in violation of Section 1 of the Sherman Act and various state antitrust, unfair competition, unjust enrichment, and consumer protection laws.

In this Notice, “Defendants” refers to more than three dozen companies, corporations, and individuals involved in the sale and distribution of generic drugs (a complete list is available at [www.GenericPharmaceuticalsAntitrust.com](http://www.GenericPharmaceuticalsAntitrust.com)) and “Settling Defendant” refers to Apotex Corp. The Plaintiffs have reached a Settlement with Apotex. However, the Plaintiffs’ lawsuit is still proceeding against other Defendants. **Those other Defendants may be subject to separate settlements, judgments, or class certification related orders. If applicable, you will receive a separate notice regarding the progress of the lawsuit and any resolution of legal claims against the other Defendants.**

The Settling Defendant denies the legal claims and denies any wrongdoing or liability. No court or other judicial entity has made any judgment or other determination of any wrongdoing by the Settling Defendant, or that any law has been violated. Instead, Plaintiffs and the Settling Defendant have agreed to a settlement to avoid the risk, cost, and time of continuing the lawsuit.

### 3. Why is the lawsuit a class action?

In a class action, one or more people or businesses (called class representatives) sue on behalf of all people or businesses who have similar legal claims. Together, all of these people are called a class or class members. One court resolves the issues for all class members, except for those class members who timely exclude themselves (opt out) from the class.

The Class Representatives in this lawsuit are Plaintiffs Chet Johnson Drug, Deal Drug Pharmacy, Falconer Pharmacy, Halliday’s & Koivisto’s Pharmacy, North Sunflower Medical Center, Russell’s Mr. Discount Drugs, and West Val Pharmacy (“Class Representatives”).

### 4. Why is there a Settlement?

Plaintiffs and Apotex do not agree about the legal claims made in this lawsuit. The lawsuit has not gone to trial, and the Court has not decided in favor of Plaintiffs or Apotex. Instead, Plaintiffs and Apotex have agreed to settle the lawsuit. The Plaintiffs, Apotex, and their lawyers believe the Settlement is best for all Settlement Class Members because of the benefits available to Settlement Class Members and the risks and uncertainty associated with continuing the lawsuit.

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## WHO IS INCLUDED IN THE SETTLEMENT?

### 5. How do I know if I am part of the Settlement?

The Settlement Class includes:

All dispensers of drugs (including Clinics, Hospitals and Independent Pharmacies) in the United States and its territories that purchased one or more Drugs at Issue from January 1, 2010 through March 5, 2024, including (a) those that purchased directly from distributor AmerisourceBergen Drug Corporation, Cardinal Health, Inc., Red Oak Sourcing, LLC, The Harvard Drug Group, LLC, HD Smith LLC, McKesson Corporation, Morris & Dickson Co., LLC or Walgreens Boot Alliance, Inc. or their subsidiaries; and (b) those that purchased indirectly from any Defendant in the MDL.

Clinics include facilities providing outpatient medical treatment and advice, including urgent care clinics, community health centers, and outpatient facilities. Hospitals include facilities that provide inpatient medical treatment with overnight accommodations. Independent Pharmacies include retail pharmacies that are not owned by a publicly traded company.

The Drugs at Issue include any dosage or formulation of any drug that is the subject of the lawsuit whether or not it includes Apotex. A list of the Drugs at issue can be found at [www.GenericPharmaceuticalsAntitrust.com](http://www.GenericPharmaceuticalsAntitrust.com).

### 6. Are there exceptions to being included in the Settlement?

Yes. Specifically excluded from the Settlement Class are:

- (a) Defendants, their officers, directors, management, employees, subsidiaries, and affiliates;
- (b) entities owned in part by judges or justices involved in this action or any members of their immediate families (other than interests held as a passive investor in a publicly traded entity); and
- (c) all pharmacies owned or operated by publicly traded companies.

If you are in one of these categories, you are not a Settlement Class Member and not eligible to participate in the Settlement.

### 7. What if I am still not sure whether I am part of the Settlement?

If you are still not sure whether you are a Settlement Class Member, you may visit the Settlement Website at [www.GenericPharmaceuticalsAntitrust.com](http://www.GenericPharmaceuticalsAntitrust.com), or call the Settlement Administrator toll-free at 1-877-644-0182.

## THE BENEFITS OF THE SETTLEMENT

### 8. What does the Settlement with Apotex provide?

If the Settlement is approved, Apotex is required to pay \$5,537,000 to resolve all Settlement Class Members' legal claims against Apotex for the Released Claims (as defined in the Settlement Agreement). In addition to this monetary benefit, Apotex has also agreed to provide specified cooperation in the Indirect Reseller Plaintiffs' continued prosecution of the lawsuit. The Settlement Agreement is available at [www.GenericPharmaceuticalsAntitrust.com](http://www.GenericPharmaceuticalsAntitrust.com).

**Questions? Go to [www.GenericPharmaceuticalsAntitrust.com](http://www.GenericPharmaceuticalsAntitrust.com) or call 1-877-644-0182**

## 9. What am I giving up to receive a Settlement benefit or stay in the Settlement Class?

Unless you exclude yourself (opt out), you are choosing to remain in the Settlement Class. If the Settlement is approved and becomes final, all Court orders and any judgments will apply to you and legally bind you. You will not be able to sue, continue to sue, or be part of any other lawsuit against the Released Parties about the legal issues in this lawsuit that are released by this Settlement. The specific rights you are giving up are called “Released Claims.”

You are not releasing your legal claims against any Defendant other than Apotex.

## 10. What are the Released Claims?

Section C of the Settlement Agreement describes the “Released Claims,” and the Release in necessary legal terminology, so read these sections carefully. The Settlement Agreement is available at [www.GenericPharmaceuticalsAntitrust.com](http://www.GenericPharmaceuticalsAntitrust.com). For questions regarding the Release or Released Claims and what the language in the Settlement Agreement means, you can also contact one of the Settlement Class Counsel lawyers listed in Question 19 for free, or you can talk to your own lawyer at your own expense.

## 11. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will not receive Settlement benefits, and you will give up rights explained in the “Excluding Yourself from the Settlement” section of this Notice, including your right to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against any of the Released Parties about the legal issues in this lawsuit that are released by the Settlement.

By staying in the lawsuit, you are not releasing your legal claims against any Defendant other than Apotex.

## HOW TO GET BENEFITS FROM THE SETTLEMENT

## 12. How do I make a claim for Settlement benefits?

At the time this Notice was mailed, the Court had not yet approved a Plan of Allocation and Claim Form. Claim Forms will be available before the opt out deadline of **January 16, 2025** at the Settlement Website at [www.GenericPharmaceuticalsAntitrust.com](http://www.GenericPharmaceuticalsAntitrust.com), by calling 1-877-644-0182 or by writing to:

*In re Generic Pharmaceuticals Pricing Antitrust Litigation*  
Settlement Administrator  
PO Box 2750  
Portland, OR 97208-2750

## 13. When will I receive my Settlement benefits?

If you file a timely and valid Claim Form, Settlement benefits will be provided by the Settlement Administrator after the Settlement is approved by the Court and becomes final.

It may take time for the Settlement to be approved and become final. Please be patient and check [www.GenericPharmaceuticalsAntitrust.com](http://www.GenericPharmaceuticalsAntitrust.com) for updates.

**Questions? Go to [www.GenericPharmaceuticalsAntitrust.com](http://www.GenericPharmaceuticalsAntitrust.com) or call 1-877-644-0182**

## EXCLUDING YOURSELF FROM THE SETTLEMENT

If you are a Settlement Class Member and want to keep any right you may have to sue or continue to sue the Released Parties on your own based on the legal claims raised in this lawsuit or released by the Released Claims, then you must take steps to get out of the Settlement. This is called excluding yourself from—or “opting out” of—the Settlement.

### 14. How do I exclude myself from the Settlement with Apotex?

To exclude yourself from the Settlement, you must mail a written request for exclusion (“Request for Exclusion”), which includes the following:

- 1) Your name, address and telephone number;
- 2) A statement explaining why you wish to be excluded from the Settlement Class; and
- 3) Whether you are (a) an Independent Pharmacy (including the number of separate pharmacy locations), (b) a Clinic (including the number of separate Clinic organizations), and/or (c) a Hospital (including the number of staffed Hospital beds).

The Request for Exclusion must be **mailed** to the Settlement Administrator at the following address, and be **postmarked** by **January 16, 2025**:

*In re Generic Pharmaceuticals Pricing Antitrust Litigation*  
Settlement Administrator  
PO Box 2750  
Portland, OR 97208-2750

**You cannot opt out (exclude yourself) by telephone or by email.**

### 15. If I exclude myself, can I still get anything from the Settlement with Apotex?

No. If you exclude yourself, you will not be entitled to receive Settlement benefits, but you will not be bound by the Settlement or any judgment in this lawsuit against the Released Parties. You can only get Settlement benefits if you stay in the Settlement and submit a timely and valid Claim Form.

### 16. If I do not exclude myself, can I sue Apotex for the same thing later?

No. Unless you exclude yourself, you give up the right to sue the Released Parties for the legal claims this the Settlement resolves. You must exclude yourself from this Settlement to start or continue with your own lawsuit or be part of any other lawsuit against the Released Parties. If you have a pending lawsuit against Apotex, speak to your lawyer in that case immediately.

By staying in the lawsuit, you are not releasing your legal claims in this lawsuit against any Defendant other than Apotex.

## OBJECTING TO THE SETTLEMENT

### 17. How do I tell the Court that I do not like the Settlement?

If you are a Settlement Class Member, you can tell the Court you do not agree with all or any part of the Settlement.

To object, you must timely file your objection with the Court, Settlement Class Counsel, and Apotex’s counsel as provided below by **January 16, 2025**, stating you object to the Settlement in *In re Generic Pharmaceuticals Pricing Antitrust Litigation*, Case No. 16-md-2724.

**Questions? Go to [www.GenericPharmaceuticalsAntitrust.com](http://www.GenericPharmaceuticalsAntitrust.com) or call 1-877-644-0182**

To file an objection, you cannot exclude yourself from the Settlement Class. Your objection must include all of the following information:

- (1) A statement of intent to object;
- (2) A detailed statement of the legal and factual grounds for each objection;
- (3) A statement regarding whether you intend to appear at the Fairness Hearing; and
- (4) Your signature.

Court	Settlement Class Counsel	Apotex Counsel
Clerk United States District Court for the Eastern District of Pennsylvania James A. Byrne U.S. Courthouse 601 Market Street Philadelphia PA 19106	Christian Hudson Michael J. Flannery Cuneo Gilbert & LaDuca LLP 4725 Wisconsin Ave NW Suite 200 Washington DC 20016	Steven F. Cherry April N. Williams WilmerHale 2100 Pennsylvania Ave NW Washington DC 20037

Any Settlement Class Member who fails to comply with the requirements for objecting detailed above will waive and forfeit any and all rights he or she may have to appear separately and/or to object to the Settlement Agreement and will be bound by all the terms of the Settlement Agreement and by all proceedings, orders and judgments in the lawsuit.

**18. What is the difference between objecting and excluding myself?**

Objecting is telling the Court that you do not like something about the Settlement. You can object only if you do not exclude yourself from the Settlement Class. Excluding yourself is telling the Court that you do not want to be part of the Settlement Class. If you exclude yourself, you cannot object because the Settlement no longer affects you.

**THE LAWYERS REPRESENTING YOU**

**19. Do I have a lawyer in this case?**

Yes, the Court has appointed Christian Hudson and Michael J. Flannery of Cuneo Gilbert & LaDuca, LLP as Settlement Class Counsel to represent you and the Settlement Class for purposes of the Settlement. You may hire your own lawyer at your own cost and expense if you want someone other than Settlement Class Counsel to represent you in this lawsuit.

**20. How will Settlement Class Counsel be paid?**

Settlement Class Counsel may ask the Court for attorneys’ fees based on their services in this lawsuit. A reasonable amount of the Settlement Fund, not to exceed \$500,000, will be used toward notice to the Settlement Class. Any payment to Settlement Class Counsel or the Class Representatives would be subject to Court approval, and the Court may award less than the requested amount. The attorneys’ fees, costs, expenses, and service awards that the Court orders, plus the costs to administer the Settlement, will come out of the Settlement Fund. Settlement Class Counsel may seek additional attorneys’ fees, costs, expenses, and service awards from any other settlements or recoveries obtained in the future. When Settlement Class Counsel’s motion for attorneys’ fees, costs, expenses, and service awards is filed, it will be available at [www.GenericPharmaceuticalsAntitrust.com](http://www.GenericPharmaceuticalsAntitrust.com).

**Questions? Go to [www.GenericPharmaceuticalsAntitrust.com](http://www.GenericPharmaceuticalsAntitrust.com) or call 1-877-644-0182**

## THE FAIRNESS HEARING

### 21. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Fairness Hearing to decide whether to approve the Settlement on **March 17, 2025, at 2:00 p.m.** before the Honorable Cynthia M. Rufe at the 12614 U.S. Courthouse, 601 Market Street, Philadelphia PA, 19106. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate and decide whether to approve the Settlement, Settlement Class Counsel's application for attorneys' fees, expenses, and costs, and the service awards to the Class Representatives.

If there are timely objections, the Court will consider them. The Court will listen to Settlement Class Members who have filed a timely objection and requested to speak at the hearing.

The date and time of the Fairness Hearing are subject to change without further notice to the Settlement Class. The Court may also decide to hold the hearing via video conference or by telephone. You should check the Settlement Website [www.GenericPharmaceuticalsAntitrust.com](http://www.GenericPharmaceuticalsAntitrust.com) to confirm the date and time of the Fairness Hearing has not changed.

### 22. Do I have to attend to the Fairness Hearing?

No. Settlement Class Counsel will answer any questions the Court may have. However, you are welcome to come at your own expense. If you file an objection, you do not have to come to Court to talk about it. As long as you file your written objection on time, the Court will consider it.

### 23. May I speak at the Fairness Hearing?

Yes, as long as you do not exclude yourself (opt out) and you file a timely written objection requesting to speak at the hearing, you can (but do not have to) participate and speak for yourself at the Fairness Hearing. This is called making an appearance. You also can have your own lawyer speak for you, but you will have to pay for the lawyer yourself.

If you want to appear, or if you want your own lawyer instead of Settlement Class Counsel to speak for you at the hearing, you must follow all of the procedures for objecting to the Settlement listed in Question 17 above—and specifically include a statement whether you or your lawyer will appear at the Fairness Hearing.

## GETTING MORE INFORMATION

### 24. How do I get more information?

This Notice summarizes the Settlement. Complete details about the Settlement are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at [www.GenericPharmaceuticalsAntitrust.com](http://www.GenericPharmaceuticalsAntitrust.com). You may get additional information at [www.GenericPharmaceuticalsAntitrust.com](http://www.GenericPharmaceuticalsAntitrust.com), by calling toll-free 1-877-644-0182, or by writing to:

*In re Generic Pharmaceuticals Pricing Antitrust Litigation*  
Settlement Administrator  
P.O. Box 2750  
Portland OR 97208-2750

**PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE.**

**Questions? Go to [www.GenericPharmaceuticalsAntitrust.com](http://www.GenericPharmaceuticalsAntitrust.com) or call 1-877-644-0182**