

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

In re: RESTASIS (CYCLOSPORINE
OPHTHALMIC EMULSION) ANTITRUST
LITIGATION

18-MD-2819 (NG) (LB)

THIS DOCUMENT APPLIES TO:

All Direct Purchaser Class Actions:

FWK Holdings, LLC v. Allergan, Inc., 18-cv-00677 (E.D.N.Y.);

Rochester Drug Co-Operative, Inc. v. Allergan, Inc., 18-cv-00970 (E.D.N.Y.);

KPH Healthcare Services, Inc. a/k/a Kinney Drugs, Inc., v. Allergan, Inc., No. 18-cv-00974 (E.D.N.Y.); and

Meijer, Inc. and Meijer Distribution, Inc. v. Allergan, Inc., 19-cv-02563 (E.D.N.Y).

**NOTICE OF ERRATA TO MEMORANDUM OF LAW IN SUPPORT OF DIRECT
PURCHASER CLASS PLAINTIFFS' MOTION FOR REIMBURSEMENT OF
EXPENSES, AN AWARD OF ATTORNEYS' FEES, AND SERVICE AWARDS FOR
THE CLASS REPRESENTATIVES**

The direct purchaser class plaintiffs submit the following errata to correct typographical errors in the Memorandum of Law in Support of their Motion for Reimbursement of Expenses, an Award of Attorneys' Fees, and Service Awards for the Class Representatives, filed on July 10, 2020 (ECF No. 517):

1. On page 1, the amount of out-of-pocket expenses incurred by Class Counsel should be \$1,948,635.05.
2. On page 2, the amount requested for reimbursement of expenses should be \$1,948,635.05.
3. On page 2, the amount requested for an award of attorneys' fees should be

\$16,433,788.32.

4. On page 18, the total lodestar accumulated by Class Counsel through the date of settlement should be \$16,655,651.88.¹

The above numbers are correct elsewhere in the brief and in the accompanying motion and declaration. In the interest of clarity, and out of an abundance of caution, the accurate numbers are as follows:

- Total out-of-pocket expenses incurred by Class Counsel requested for reimbursement: \$1,948,635.05.
- Requested fee award (one-third of the net settlement amount): \$16,433,788.32.
- Total lodestar accumulated by Class Counsel through the date of settlement: \$16,655,651.88.

Dated: August 10, 2020

Respectfully submitted,

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¹ There is also a misplaced comma (should read 26,867.1 hours) in ¶ 73 of the Declaration of Interim Lead/Liaison Class Counsel Kristen A. Johnson (ECF No. 518).

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CERTIFICATE OF SERVICE

I, Kristen A. Johnson, hereby certify that I caused a copy of the foregoing to be filed electronically via the Court's CM/ECF system. Those attorneys who are registered CM/ECF users may access these filings and notice of these filings will be sent to those parties by operation of the CM/ECF system.

Dated: August 10, 2020

/s/ Kristen A. Johnson

Kristen A. Johnson