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

IN RE: EFFEXOR XR ANTITRUST  
LITIGATION

THIS DOCUMENT RELATES TO:

*All Direct Purchaser Class Actions*

Master Docket No. 3:11-cv-05479  
(ZNQ/JBD)

**DIRECT PURCHASER CLASS PLAINTIFFS' MOTION  
FOR DISTRIBUTION FROM THE SETTLEMENT FUND**

In accordance with this Court's June 28, 2024 Order Granting Final Judgment and Order of Dismissal Approving Direct Purchaser Class Settlement and Dismissing Direct Purchaser Class Claims Against Wyeth LLC, Wyeth Pharmaceuticals, Inc., Wyeth-Whitehall Pharmaceuticals LLC, and Wyeth Pharmaceuticals Company, ECF No. 746 (the "Final Approval Order"), Direct

Purchaser Class Plaintiffs (“Plaintiffs”), by undersigned counsel (“Class Counsel”) respectfully move for an order (i) approving the administrative determinations of settlement administrator, RG/2 Claims Administration (“RG/2 Claims”), concerning the Claim Forms submitted in this case; (ii) approving and authorizing the distribution of each Claimant’s share of the Net Settlement Fund to Claimants whose Claim Forms have been approved by RG/2 Claims; (iii) approving payments to RG/2 Claims and to Econ One Research, Inc. (“Econ One”), the economic consultants retained by Class Counsel to assist RG/2 Claims with the claims administration process, for fees and expenses associated with the claims administration process; and (iv) approving the withholding of up to \$150,000 from the distribution to cover estimated taxes owed<sup>1</sup> from the Settlement Fund<sup>2</sup> for interest earned on the funds.

In support of this motion, Plaintiffs rely upon the Declaration of Matthew F. Gately in Support of Direct Purchaser Class Plaintiffs’ Motion for Distribution from the Settlement Fund (“Gately Declaration”), the Declaration of Tina Chiango of RG/2 Claims Administration in Support of Motion for Distribution from the Settlement Fund (Exhibit 1 to the Gately Declaration), and a Statement in Lieu of Brief submitted herewith.

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<sup>1</sup> As set forth in footnote 3 of the accompanying proposed order, only the amount owed in taxes would be removed from the Settlement Fund for payment of taxes.

<sup>2</sup> “Settlement Fund” is defined in the Settlement Agreement and “Net Settlement Fund” is defined in Direct Purchaser Plaintiffs’ Plan of Allocation for the Direct Purchaser Class. *See* ECF No. 729-2, at 11; ECF No. 729-3, at 2.

A [Proposed] Order Approving Direct Purchaser Class Plaintiffs' Motion for Distribution from the Settlement Fund is submitted herewith.

Dated: September 3, 2024

Respectfully submitted,

/s/ Matthew F. Gately

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