

EXHIBIT D

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE OPANA ER ANTITRUST LITIGATION	MDL No. 2580
THIS DOCUMENT RELATES TO:	Lead Case No. 14-cv-10150
All Actions	Hon. Harry D. Leinenweber

**DECLARATION OF BRUCE E. GERSTEIN ON BEHALF OF
GARWIN GERSTEIN & FISHER LLP IN SUPPORT OF CLASS COUNSEL'S
MOTION FOR ATTORNEYS' FEES, REIMBURSEMENT OF EXPENSES
AND SERVICE AWARDS FOR THE NAMED PLAINTIFFS**

Bruce E. Gerstein, subject to the penalties of perjury provided by 18 U.S.C. § 1746, does hereby declare as follows:

1. I am Managing Partner in the law firm Garwin Gerstein & Fisher LLP, attorneys for the Direct Purchaser Class Plaintiffs and Co-Lead Counsel for the Direct Purchaser Class in the above-captioned case. I submit this declaration in support of Direct Purchaser Plaintiffs' Motion for Attorneys' Fees, Reimbursement of Expenses, and Service Awards for the Named Plaintiffs.

2. During the course of this litigation, my firm has been involved in various activities on behalf of the Direct Purchaser Class. Chief among those activities were:

- Investigating the case and helping to prepare the complaints, including the amended complaint, in this matter;
- Drafting sections of Plaintiffs' opposition to Defendants' motion to dismiss;
- Leading discovery efforts on behalf of all Plaintiffs, including extensive negotiations with Defendants and third parties and motion practice before the Court;

- Reviewing, analyzing, and digesting hundreds of thousands of pages of documents and data produced by Defendants (and third parties), and participating in all aspects of discovery, including preparing for and taking fact and expert depositions;
- Working with economic, scientific, industry and regulatory experts concerning all aspects of the case;
- Participating in drafting papers in support of the motion for class certification and responding to Defendants’ opposition papers;
- Participating in drafting various briefs and related filings, including: the opposition to Defendants’ motions for summary judgment; oppositions to *Daubert* motions; affirmative *Daubert* motions; affirmative motions *in limine*; oppositions to motions *in limine*; and various pretrial submissions, including jury instructions;
- Preparing for and participating in trial, including formulating trial strategy, presentation of testimony by video, including negotiations and argument concerning same, various in-trial arguments, and jury instruction negotiations and argument;
- Negotiating settlement with Impax.

3. All attorneys, paralegals and staff at my firm were instructed to keep contemporaneous time records reflecting their time spent on this case and did so.

4. The schedule below reports the time spent by my firm’s attorneys, paralegals, and staff in this case from inception until July 4, 2022 and time thereafter related to this settlement only. This does not include time relating to this motion and post-trial briefing. All hourly rates are as of July 1, 2022, unless a person had left the firm previously, in which case the rate is the person’s rate as of the time of departure from the firm (* designates former employee).

Professional’s Name	Position/Status	Total Hours	Hourly Rate as of July 1, 2022	Total Lodestar
Samuel Bonderoff	Partner	1.00	\$905.00	905.00
Elena Chan	Partner*	0.50	\$840.00	420.00
Claire Cimino	Paralegal	316.50	\$480.00	151,920.00
Deborah Elman	Partner	93.15	\$905.00	84,300.75

Bruce E. Gerstein	Partner	545.50	\$1,480.00	807,340.00
Jonathan Gerstein	Partner	4,128.58	\$905.00	3,736,364.90
Kimberly Hennings	Partner	45.05	\$905.00	40,770.25
Scott Levy	Associate*	256.75	\$725.00	186,143.75
Dan Litvin	Partner	147.96	\$905.00	133,901.99
Katlyn McGee	Paralegal*	695.02	\$350.00	243,255.60
Joseph Opper	Partner	13.00	\$1,300.00	16,900.00
David Rochelson	Partner	6.75	\$905.00	6,108.75
Susan Roth	Paralegal	1,232.75	\$480.00	591,720.00
Janet Seidman	Paralegal*	12.50	\$275.00	3,437.50
Noah Silverman	Partner	2.25	\$1,210.00	2,722.50
Anna Tydniouk	Associate	54.75	\$850.00	46,537.50
Apolinar Uriarte	Paralegal	244.20	\$450.00	109,890.00
Aakruti Vakharia	Associate*	70.00	\$435.00	30,450.00
Avery Wolff	Law Clerk*	34.00	\$125.00	4,250.00
		7,900.20		\$6,197,338.49

5. My firm has also incurred a total of \$460,544.38 (as of July 4, 2022) in unreimbursed expenses in connection with the prosecution of the litigation. These expenses were reasonably and necessarily incurred in connection with this litigation and include:

Expense	Amount
Court reporter	-----
Trial Expenses (Office Space and Supplies)	\$34,407.82
Filing fees/court costs	\$150.00
Litigation fund assessment	\$320,000.00
Postage/air express/messengers	\$873.58
Research and datasets	\$17,099.59
Telephone/teleconference/facsimile	\$1,159.52
Travel/hotel/meals	\$86,853.87
Total:	\$460,544.38

6. The expenses incurred in this action are also reflected on the books and records of my firm. These books and records are prepared from expense vouchers, receipts and other source material and accurately record the expenses incurred.

7. Pursuant to 28 U.S.C. § 1746, I declare under the penalties of perjury that the

foregoing is true and correct.

Executed this 19th day of September, 2022.

/s/ Bruce E. Gerstein
Bruce E. Gerstein