

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

SUMMARY NOTICE OF PROPOSED CLASS ACTION SETTLEMENT, MOTION  
FOR ATTORNEYS' FEES, AND HEARING REGARDING SETTLEMENT

**TO: ALL PERSONS OR ENTITIES WHO HAVE PURCHASED NEURONTIN DIRECTLY FROM PFIZER, INC. AND WARNER-LAMBERT AT ANY TIME DURING THE PERIOD OF DECEMBER 11, 2002, THROUGH AUGUST 31, 2008 AND WHO HAVE ALSO PURCHASED GENERIC GABAPENTIN, EXCLUDING: (1) GOVERNMENTAL ENTITIES; (2) DEFENDANTS AND THEIR OFFICERS, DIRECTORS, MANAGEMENT AND EMPLOYEES, SUBSIDIARIES AND AFFILIATES.**

**YOUR RIGHTS COULD BE AFFECTED.**

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

**Nature of the Class Action:** If you made at least one purchase of the brand name drug Neurontin directly from one of the defendants in this case and have also purchased generic gabapentin, your rights may be affected by a class action lawsuit, *In re Neurontin Antitrust Litigation*, Master Docket No. 02-cv-1390 (FSH) (D.N.J.) (the "Class Action"), now pending before the United States District Court for the District of New Jersey (the "Court"). This case was brought by Louisiana Wholesale Drug Company, Inc., Meijer, Inc. and Meijer Distribution, Inc. (collectively, "Plaintiffs") on behalf of themselves and other similarly situated direct purchasers of Neurontin that fall within the definition of the Class against Defendants Pfizer Inc. and Warner-Lambert Company LLC (collectively, "Pfizer" or "Defendants").

Plaintiffs allege that Pfizer violated federal antitrust laws by illegally delaying the entry of generic versions of the prescription drug Neurontin. The active ingredient in Neurontin is gabapentin anhydrous. Plaintiffs allege that Pfizer delayed competition from less expensive generic versions of Neurontin by executing a multifaceted scheme involving, among other things, improperly listing certain patents in the Orange Book, engaging in illegal promotion and sales of Neurontin for unapproved uses, filing and maintaining sham litigations with respect to certain patents, and making misrepresentations to the patent courts. Plaintiffs allege that by engaging in the alleged scheme Pfizer delayed competition from less expensive generic versions of Neurontin and was able to maintain its monopoly in the market for gabapentin anhydrous, improperly causing direct purchasers of Neurontin to pay artificially inflated prices for gabapentin products. Plaintiffs seek damages representing three times the amount that was overpaid as a result of the allegedly illegal conduct, plus interest, attorneys' fees and costs.

The Court has certified a class of direct purchasers of Neurontin and preliminarily approved a proposed Settlement of the Class Action. The Settlement provides for payment by Defendants of \$190,000,000.00 (one hundred ninety million dollars) plus interest into an escrow account (the "Settlement Fund"). Plaintiffs will move the Court to approve the proposed Settlement, the allocation of the net Settlement Fund to the members of the Class (defined below), and compensation to Class Counsel for expenses, attorneys' fees and incentive awards to named Plaintiffs out of the Settlement Fund.

**The Class:** By order dated January 25, 2011, the Court ruled that this lawsuit may be maintained by Plaintiffs on behalf of the Class consisting of:

All persons or entities in the United States that purchased Neurontin from Pfizer at any time during the period of December 11, 2002 through August 31, 2008 and who have purchased generic gabapentin. Excluded from the Class are Defendants and each of their respective parents, employees, subsidiaries, affiliates, and franchisees, and all government entities.

Also excluded from the Class are: CVS Pharmacy Inc., Caremark, L.L.C., Rite Aid Corporation, Rite Aid HDQTRS Corp., Walgreen Co., American Sales Co, Inc., HEB Grocery Co. LP, Safeway Inc., SuperValu, Inc., and The Kroger Co., in their own right as direct purchasers of Neurontin from Pfizer and as assignees limited to their purchases of Neurontin from Class members.

If you bought Neurontin only from a source other than Defendants (for example, if you only bought Neurontin directly from a wholesaler or a retailer, and did not buy any Neurontin directly from either Pfizer or Warner-Lambert) and/or you have not made any purchases of generic gabapentin, you are *not* a member of the Class on whose behalf this suit was maintained.

**The Final Approval Hearing** before the Honorable Faith S. Hochberg has been scheduled for July 31, 2014 at 10 a.m. at the United States District Court for the District of New Jersey, Martin Luther King, Jr. Federal Building & U.S. Courthouse, 50 Walnut Street, Courtroom 4A, Newark, NJ 07101, to approve the Settlement, the plan for allocating the net Settlement Fund to members of the Class, Class Counsel's request for attorneys' fees, reimbursement of expenses, and for incentive awards to named Plaintiffs to be paid out of the Settlement Fund.

**Mailed Notice:** Entities that have been identified as possible members of this Class are being advised by mail of their rights with respect to this lawsuit. If you believe you are a Class member, but have not yet received the more detailed Notice of Proposed Settlement of Class Action ("Mailed Notice"), you may obtain a copy by contacting the Claims Administrator at: *In re Neurontin Antitrust Litigation*, c/o Berdon Claims Administration LLC., P.O. Box 9014, Jericho, NY 11753-8914; Phone: 800-766-3330; Fax: 516-931-0810; or via the website [www.berdonclaims.com](http://www.berdonclaims.com). The Mailed Notice provides a more detailed explanation of your rights in this litigation.

**If You Do Nothing**, you will remain in the Class. If the Settlement is approved by the Court and you are a Class member, you will not need to do anything right now to receive a payment.

**To Object to Any Part of the Settlement**, but stay in this class action lawsuit and keep the right to share in the Settlement, you may write to the Court and counsel about why you do not approve of the Settlement. Instructions and deadlines can be found in the Mailed Notice.

**To Get More Information**, please contact the Claims Administrator, or visit [www.garwingerstein.com](http://www.garwingerstein.com) or [www.kaplanfox.com](http://www.kaplanfox.com).

**PLEASE DO NOT WRITE OR CALL THE COURT OR THE CLERK'S OFFICE FOR INFORMATION**

Dated: May 12, 2014

BY ORDER OF THE COURT