

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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|                                  |   |                         |
|----------------------------------|---|-------------------------|
| HARTIG DRUG COMPANY INC.,        | ) |                         |
|                                  | ) |                         |
| Plaintiff,                       | ) |                         |
|                                  | ) |                         |
| v.                               | ) | C.A. No. 14-719-JFB-SRF |
|                                  | ) |                         |
| SENJU PHARMACEUTICAL CO. LTD.,   | ) |                         |
| KYORIN PHARMACEUTICAL CO., LTD., | ) |                         |
| AND ALLERGAN, INC.,              | ) |                         |
|                                  | ) |                         |
| Defendants.                      | ) |                         |

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**PLAINTIFF’S UNOPPOSED MOTION TO AUTHORIZE  
DISTRIBUTION OF THE SETTLEMENT FUND**

Plaintiff Hartig Drug Company Inc. (“Plaintiff”), by and through its undersigned counsel, individually and on behalf of the Settlement Class, hereby moves the Court to authorize distribution of the Settlement Fund to Settlement Class members that filed qualified claims. Defendants do not oppose this motion.

The grounds for this motion are set forth more fully in the Memorandum of Law in Support of Plaintiff’s Unopposed Motion to Authorize Distribution of the Settlement Fund, filed herewith.

Respectfully submitted,

Dated: April 8, 2019

PRICKETT, JONES & ELLIOTT, P.A.

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*Settlement Class Counsel and Attorneys for Plaintiff Hartig Drug Company Inc.*

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| Defendants.                      | ) |                         |
|                                  |   |                         |

**[PROPOSED] ORDER GRANTING PLAINTIFF’S UNOPPOSED MOTION TO  
AUTHORIZE DISTRIBUTION OF THE SETTLEMENT FUND**

WHEREAS, Plaintiff entered into a settlement agreement with Defendants Senju Pharmaceutical Co. Ltd., Kyorin Pharmaceutical Co., Ltd., and Allergan, Inc.;

WHEREAS, the Court preliminarily approved the settlement, certified the settlement class, appointed Settlement Class Counsel, and directed Settlement Class Counsel to issue notice of the proposed settlements to potential Settlement Class members;

WHEREAS, publication and mailing notice were issued;

WHEREAS, following a fairness hearing, the Court granted final approval of the settlement, approved the plan of allocation, and awarded attorneys’ fees and expenses;

WHEREAS, the Net Settlement Fund to be distributed to Settlement Class members is calculated after deduction of the Court-approved attorneys’ fees and expenses, administrative expenses, taxes and tax expenses relating to the income earned by the settlement funds, and any other necessary adjustments under the Court’s orders or the settlement agreement;

WHEREAS, The Garden City Group, as the Court-approved Claims Administrator, has evaluated and audited claim forms from potential claimants and calculated the appropriate amount to be allocated to each qualified claimant;

**NOW THEREFORE**, upon consideration of Plaintiff Hartig Drug Company Inc.'s Unopposed Motion to Authorize Distribution of the Settlement Fund, it is hereby **ORDERED**:

1. The Motion is hereby **GRANTED**.
2. The Net Settlement Fund (\$5,883,838.76) shall be distributed to Settlement Class members who have submitted valid claims, as determined by The Garden City Group, in the amounts shown on Exhibit A of the Declaration of Eric Kierkegaard, filed April 5, 2019.

**IT IS SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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U.S.D.J. Joseph F. Bataillon