

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

IN RE NAMENDA INDIRECT PURCHASER ANTITRUST LITIGATION	Case No. 1:15-cv-06549-CM-RWL
THIS DOCUMENT RELATES TO: SBF ACTION	

**ORDER GRANTING INDIRECT PURCHASER
CLASS PLAINTIFF'S MOTION TO APPROVE THE FORM
AND MANNER OF NOTICE TO THE THIRD-PARTY PAYOR CLASS**

Upon review and consideration of Indirect Purchaser Class Plaintiff's Motion to Approve the Form and Manner of Notice to The Third Party Payor Class, IT IS HEREBY ORDERED, that the motion is GRANTED AS MODIFIED as follows:

1. The Court approves the manner of giving notice to the class, but directs that references to the allegations regarding the hard switch theory be changed to read as follows:

The lawsuit also includes allegations directed toward a so-called "hard switch product hop" to compel purchasers to switch to Defendants' extended release version of Namenda (Namenda XR), before less expensive generic versions of Namenda IR became available; however, the Court did not certify the "hard switch" claim for class action treatment, so the Indirect Purchaser Plaintiff is pursuing that claim only for itself, not on behalf of any other indirect purchaser of Namenda.

2. A.B. Data is appointed as Notice and Claims Administrator.

SO ORDERED this 26 day of March, 2021.



The Honorable Colleen McMahon
Chief United States District Judge