

**If you purchased brand or generic Effexor XR®
(venlafaxine hydrochloride) directly from Wyeth LLC, Wyeth
Pharmaceuticals, Inc., Wyeth-Whitehall Pharmaceuticals
LLC, Wyeth Pharmaceuticals Company, Teva
Pharmaceuticals USA, Inc., or Teva Pharmaceutical
Industries Ltd., your rights may be affected by the settlement
of a class action lawsuit.**

A federal court authorized this Notice. It is not a solicitation from a lawyer. You are not being sued.

The purpose of this Notice is to alert you to the existence of and provide important details about a proposed settlement relating to a class action lawsuit brought by Rochester Drug Co-Operative, Inc., Stephen L. LaFrance Holdings, Inc. d/b/a SAJ Distributors, and Uniondale Chemists, Inc., (collectively “Plaintiffs” or “Class Representatives”) on behalf of direct purchasers of brand or generic Effexor XR directly from Wyeth LLC, Wyeth Pharmaceuticals, Inc., Wyeth-Whitehall Pharmaceuticals LLC, and Wyeth Pharmaceuticals Company (collectively, “Wyeth”) and/or Teva Pharmaceuticals USA, Inc., and Teva Pharmaceutical Industries Ltd. (collectively, “Teva”) (Wyeth and Teva collectively “Defendants”) and to give you the opportunity to object to or opt out of a proposed settlement of that lawsuit against Wyeth.

The proposed settlement is with Wyeth only and will provide \$39,000,000 in cash to resolve the Direct Purchaser Class’s claims against Wyeth only (the “Settlement Fund”).

**YOUR LEGAL RIGHTS ARE AFFECTED WHETHER YOU ACT OR DO NOT ACT,
SO PLEASE READ THIS NOTICE CAREFULLY.**

The Court has scheduled a hearing to decide on final approval of the settlement with Wyeth, the plan for allocating the Settlement Fund to Direct Purchaser Class members (summarized in the responses to Questions 6 and 7 below), and Lead Class Counsel’s request for settlement administration costs, attorneys’ fees, reimbursement of Class Counsel’s out-of-pocket expenses and costs, and service awards to the Class Representatives. That hearing is scheduled for June 28, 2024 at 11 am before U.S. District Court Judge Peter G. Sheridan in Courtroom 1 of the United States District Court for the District of New Jersey, Clarkson S. Fisher Federal Building & U.S. Courthouse, 402 East State Street, Trenton, New Jersey 08608.

Judge Peter G. Sheridan of the United States District Court for the District of New Jersey has determined that the lawsuit between Plaintiffs and Wyeth can proceed as a class action for purposes of this settlement because it meets the requirements of Federal Rule of Civil Procedure 23, which governs class actions in federal courts. The class (hereinafter, the “Direct Purchaser Class” or the “Class”) includes the following:

All persons or entities in the United States and its territories who purchased Effexor XR and/or AB-rated generic versions of Effexor XR directly from any of the

Defendants at any time during the period June 14, 2008 through and until May 31, 2011 (the “Class Period”).

Excluded from the Direct Purchaser Class are Defendants and their officers, directors, management, employees, subsidiaries, or affiliates, all governmental entities, and all persons or entities that purchased Effexor XR directly from Wyeth during the Class Period that did not also purchase generic Effexor XR directly.

Also excluded from the Class for purposes of this Settlement Agreement are the following: Walgreen Co., The Kroger Co. (including Peytons), Safeway, Inc., United Natural Foods, Inc. f/k/a Supervalu Inc., H-E-B, L.P. f/k/a HEB Grocery Company, L.P., American Sales Company, Inc., Rite Aid Corporation, Rite Aid Hdqtrs. Corporation, JCG (PJC) USA, LLC, Maxi Drug, Inc. d/b/a/ Brooks Pharmacy, Eckerd Corporation, Meijer, Inc., Meijer Distribution, Inc., Giant Eagle, Inc., and CVS Caremark Corporation (including Caremark and Omnicare) (collectively, “Retailer Plaintiffs”).

The proposed settlement will affect the rights of all members of the Class, as defined above, unless they exclude themselves from the Class.

The Court in charge of this case still has to decide whether to give Final Approval to the proposed settlement with Wyeth.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
IF YOU WISH TO RECOVER A SHARE OF THE SETTLEMENT FUND, PROMPTLY COMPLETE AND RETURN THE ENCLOSED CLAIM FORM	<p>You do not need to do anything now to remain a member of the Direct Purchaser Class.</p> <p><i><u>However, to recover a share of the Settlement Fund, you must complete and return the enclosed Claim Form within 60 days of the date of the Claim Form (by July 2, 2024).</u></i></p>
EXCLUDE YOURSELF FROM THE CLASS	<p>You may choose to exclude yourself (<i>i.e.</i>, “opt out”) from the Class. If you decide to exclude yourself, you will not be bound by any decision in this lawsuit relating to Wyeth. This is the only option that allows you to ever be part of any legal action other than this lawsuit relating to the legal claims against Wyeth in this case. If you decide to “opt out,” do not complete and return the Claim Form because you will not be eligible to receive a share of the Settlement Fund if you exclude yourself from the Class.</p>
STAY IN THE LAWSUIT BUT OBJECT TO THE SETTLEMENT	<p>If you object to any part or all of the proposed settlement but you do not wish to exclude yourself from the Class, write to the Court about why you do not like the proposed settlement.</p>

	<p><i>Regardless of whether you object to any part of the settlement, you must complete and return the enclosed Claim Form within 60 days of the date of this Notice (by July 2, 2024) in order to recover a share of the Settlement Fund.</i></p>
GET MORE INFORMATION	<p>If you would like to receive more information about the proposed settlement, you can send questions to the lawyers identified in this Notice and/or attend the hearing at which the Court will evaluate the proposed settlement.</p>

These rights and options—and the deadlines to exercise them—are explained in this Notice.

WHAT THIS NOTICE CONTAINS

BASIC INFORMATION 5

- 1. Why Did I Get This Notice? 5
- 2. What Is This Lawsuit About? 5
- 3. Why Is This Lawsuit a Class Action?..... 6
- 4. Why Is There a Settlement? 7

WHO IS INCLUDED IN THE CLASS AND THE SETTLEMENT..... 7

- 5. Am I Part of the Class and the Settlement? 7

THE SETTLEMENT BENEFITS: WHAT YOU GET 7

- 6. What Does the Settlement Provide? 7
- 7. When Would I Get My Payment and How Much Would It Be? 8
- 8. How Can I Get a Payment?..... 9

THE LAWYERS REPRESENTING YOU 9

- 9. Do I Have a Lawyer in this Case? 9
- 10. Should I Get My Own Lawyer?..... 9
- 11. How Will the Lawyers Representing the Class Be Paid? 10

EXCLUDING YOURSELF FROM THE CLASS AND THE SETTLEMENT 10

- 12. Can I Get Out of the Settlement with Wyeth? 10
- 13. If I Don't Exclude Myself, Can I Sue Wyeth for the Same Thing Later? 11

OBJECTING TO THE SETTLEMENT 11

- 14. How Do I Tell the Court That I Do Not Like the Settlement? 11

THE COURT'S FINAL FAIRNESS HEARING..... 13

- 15. When and Where Will the Court Decide Whether to Approve the Settlement?..... 13
- 16. Do I Have to Come to the Hearing?..... 13
- 17. May I Speak at the Hearing?..... 13

IF YOU DO NOTHING 13

- 18. What Happens If I Do Nothing at All? 13

GETTING MORE INFORMATION..... 14

- 19. How Do I Get More Information? 14

BASIC INFORMATION

1. Why Did I Get This Notice?

You received this Notice because, according to sales data produced by Wyeth and Teva, you may have purchased brand Effexor XR directly from Wyeth and/or generic Effexor XR directly from Teva during the period from June 14, 2008 through May 31, 2011.

A federal court authorized this Notice because you have a right to know about the proposed settlement with Wyeth and about all of your options before the Court decides whether to grant final approval of the settlement. This Notice explains the lawsuit, the settlement, your legal rights, what benefits are available, and eligibility for those benefits. Note that you may have received this Notice in error; simply receiving this Notice does not mean you are definitely a member of the Direct Purchaser Class. You may confirm that you are a member of the Direct Purchaser Class by reviewing the criteria set forth in Question 5 below. You may also call or write to the lawyers in this case at the telephone numbers or addresses listed in Question 9 below.

2. What Is This Lawsuit About?

Plaintiffs filed lawsuits individually and as representatives of all persons or entities in the U.S. and its territories who purchased brand and/or generic Effexor XR directly from Wyeth and/or Teva at any time during the period from June 14, 2008 through May 31, 2011 (the “Class”). Excluded from the Class are Defendants and their officers, directors, management, employees, subsidiaries, or affiliates, all governmental entities, and all persons or entities that purchased Effexor XR directly from Wyeth during the Class Period that did not also purchase generic Effexor XR directly. Also excluded from the Class for purposes of this Settlement Agreement are the following: Walgreen Co., The Kroger Co. (including Peytons), Safeway, Inc., United Natural Foods, Inc. f/k/a Supervalu Inc., H-E-B, L.P. f/k/a HEB Grocery Company, L.P., American Sales Company, Inc., Rite Aid Corporation, Rite Aid Hdqtrs. Corporation, JCG (PJC) USA, LLC, Maxi Drug, Inc. d/b/a/ Brooks Pharmacy, Eckerd Corporation, Meijer, Inc., Meijer Distribution, Inc., Giant Eagle, Inc., and CVS Caremark Corporation (including Caremark and Omnicare) (collectively, “Retailer Plaintiffs”).

The lawsuit asserts that as a result of Wyeth’s and Teva’s alleged unlawful conduct, the prices paid for brand Effexor XR and generic Effexor XR (extended release venlafaxine hydrochloride capsules) were higher than they otherwise would have been. The Plaintiffs seek to recover damages in the form of overcharges on direct purchases of brand and/or generic Effexor XR from Wyeth or Teva. Plaintiffs allege the overcharges were caused by Wyeth’s and Teva’s conduct. Under federal antitrust law, any damages awarded at trial are automatically trebled (that is, tripled). Plaintiffs also seek to recover attorneys’ fees and costs.

The lawsuit alleges that Wyeth and Teva violated federal antitrust laws by unlawfully impairing and delaying the introduction of generic versions of the prescription drug Effexor XR into the United States market. The Plaintiffs allege that Wyeth, the manufacturer of brand Effexor XR, and Teva, a generic pharmaceutical company, entered into a “pay for delay” or “reverse payment” agreement in violation of the federal antitrust laws. A “pay for delay” or “reverse payment” agreement, generally speaking, is an agreement in which a brand name drug company provides compensation to a generic competitor, and in return, the generic competitor agrees to stop

challenging, or stop trying to invent around, the brand company's patent and agrees to delay launching its generic product. Absent the alleged unlawful conduct, the Plaintiffs claim, Teva would have launched generic Effexor XR earlier than July 1, 2010, the date on which Teva actually launched generic Effexor XR. The Plaintiffs allege that the prices for brand and generic Effexor XR were higher than they would have been absent the challenged unlawful conduct.

Wyeth denies all these allegations, including that the Plaintiffs or Class members are entitled to damages or any other relief.

There has been no determination by the Court or a jury that the allegations against Wyeth have been proven or that, if proven, Wyeth's conduct caused harm to the Class. This Notice is not an expression of any opinion by the Court as to the claims against Wyeth or Teva or the defenses asserted by Wyeth or Teva.

Judge Peter G. Sheridan of the United States District Court for the District of New Jersey is overseeing this class action and the settlement. The lawsuit is known as *In re Effexor XR Antitrust Litigation*, No. 3:11-cv-5479 (D.N.J.).

3. Why Is This Lawsuit a Class Action?

In a class action lawsuit, one or more persons or entities sue on behalf of others who have similar claims. Together, all these entities make up the "Class" and are called "Class members." The companies that filed suit are called the "Plaintiffs" (or "Class Representatives"). The companies that are sued are called the "Defendants."

In a class action lawsuit, one court resolves the issues for everyone in the class, except for those class members who exclude themselves from the class.

For the purpose of this proposed settlement, the Court has decided that this lawsuit can proceed as a class action because it meets the requirements of Federal Rule of Civil Procedure 23, which governs class actions in federal courts. The common legal and factual questions include:

- Whether Wyeth conspired with Teva to suppress generic competition to Effexor XR;
- Whether Wyeth's conduct caused the Plaintiffs and members of the Class to pay higher prices than they otherwise would have; and
- Whether the alleged unlawful conduct is illegal under the antitrust laws.

The members of the Class are "Class members" or "Direct Purchaser Class members." A copy of the Court's order preliminarily approving the proposed settlement and certifying the Class is available at <https://bergermontague.com/cases/effexor-xr-antitrust-lawsuit/>, <https://www.hbsslaw.com>, <https://www.faruqilaw.com>, <https://nastlaw.com>, <https://tcllaw.com>, and <https://barrettllawgroup.com>.

4. Why Is There a Settlement?

Plaintiffs and Wyeth were preparing to proceed with the litigation and eventually to go to trial, but they have now agreed to a proposed settlement. By settling, both the Plaintiffs and Wyeth avoid the risk of trial and the continued costs of litigation. The Class Representatives and Lead Class Counsel believe that the proposed settlement with Wyeth is fair, adequate, reasonable, and in the best interests of the Class.

WHO IS INCLUDED IN THE CLASS AND THE SETTLEMENT

To see if you are in the Class, and if so, how you will be able to share in the Settlement Fund, you first have to decide if you are a Class member.

5. Am I Part of the Class and the Settlement?

You are in the Class if you are a person or entity in the United States and its territories who purchased Effexor XR or its AB-rated bioequivalent generic products directly from any of Defendants at any time during the period June 14, 2008 through and until May 31, 2011 (the “Class Period”). Excluded from the Direct Purchaser Class are Defendants and their officers, directors, management, employees, subsidiaries, or affiliates, all governmental entities, and all persons or entities that purchased Effexor XR directly from Wyeth during the Class Period that did not also purchase generic Effexor XR directly. Also excluded from the Class for purposes of this Settlement Agreement are the following: Walgreen Co., The Kroger Co. (including Peytons), Safeway, Inc., United Natural Foods, Inc. f/k/a Supervalu Inc., H-E-B, L.P. f/k/a HEB Grocery Company, L.P., American Sales Company, Inc., Rite Aid Corporation, Rite Aid Hdqtrs. Corporation, JCG (PJC) USA, LLC, Maxi Drug, Inc. d/b/a/ Brooks Pharmacy, Eckerd Corporation, Meijer, Inc., Meijer Distribution, Inc., Giant Eagle, Inc., and CVS Caremark Corporation (including Caremark and Omnicare) (collectively, “Retailer Plaintiffs”).

If you are not sure whether you are included, you may call or write to the lawyers in this case at the telephone numbers or addresses listed in Question 9 below.

THE SETTLEMENT BENEFITS: WHAT YOU GET

6. What Does the Settlement Provide?

Wyeth has agreed to pay \$39,000,000 in cash into an interest-bearing escrow account (“Settlement Fund”) for the benefit of the Class.

If approved by the Court, the Settlement Fund, minus any Court-awarded fees and expenses to Lead Class Counsel, the cost of settlement notice and administration, and service awards to the Class Representatives (the “Net Settlement Fund”), will be distributed to Class members who return valid and timely Claim Forms. The distribution will be made on a *pro rata* basis, consistent with each Class member’s aggregate share of the total Class purchases of brand and generic Effexor XR during the relevant time periods described below in response to Question 7. The Allocation Plan utilizes the combined totals of each Class member’s purchases of brand and generic Effexor XR during the relevant time periods described below in response to Question 7.

Transactional sales data from Wyeth and Teva will be used to make these calculations. Class members will be given the opportunity to provide data or information to supplement or correct this information if they choose. With this Notice, each Class member is being sent a Claim Form pre-populated with information about Class members' purchases to review, sign, and submit.

Lead Class Counsel will ask for a service award for each Class Representative of \$100,000 each from the Settlement Fund in recognition of their efforts to date on behalf of the Class.

In exchange for the Settlement Fund, Wyeth will be released and discharged from all antitrust and similar claims relating to brand and generic Effexor XR ("Wyeth Releasees" and "Released Claims" as defined in the Settlement Agreement). In addition, Wyeth will release Direct Purchaser Class Releasees from claims asserted in connection with the Action or that should have been asserted in the Action as compulsory counterclaims arising out of the alleged conduct that is the subject matter of this case. The full text of the release is included in the Settlement Agreement, available at <https://bergermontague.com/cases/effexor-xr-antitrust-lawsuit/>, <https://www.hbsslaw.com>, <https://www.faruqilaw.com>, <https://nastlaw.com>, <https://tcllaw.com>, and <https://barrettllawgroup.com>.

This Notice is a summary only and is not intended to, and does not, vary the terms of the actual Settlement Agreement.

7. When Would I Get My Payment and How Much Would It Be?

Each Class member's proportionate *pro rata* recovery will be determined using a Court-approved Plan of Allocation. The detailed Plan of Allocation is posted and can be reviewed at <https://bergermontague.com/cases/effexor-xr-antitrust-lawsuit/>, <https://www.hbsslaw.com>, <https://www.faruqilaw.com>, <https://nastlaw.com>, <https://tcllaw.com>, and <https://barrettllawgroup.com>. Under the Plan of Allocation, your share of the Net Settlement Fund will depend on the total amount of brand Effexor XR that you purchased from Wyeth from June 14, 2008 through May 31, 2011, and generic Effexor XR that you purchased from July 1, 2010 through May 31, 2011 ("Class Purchases"). Generally, those who purchased more will get a higher recovery.

Your share of the Net Settlement Fund will also depend on the number of valid Claim Forms that Class members submit. If fewer than 100% of the Class members send in a Claim Form, you could get a larger *pro rata* share.

Money from the settlement will be distributed to Class members only if the Court grants final approval of the settlement. Payment is conditioned on several matters, including the Court's approval of the settlement and such approval no longer being subject to any appeals to any court or, if there is an appeal, such appeal being final and no longer subject to any further appeal.

The Settlement Agreement may be terminated if the Court does not approve the settlement or materially modifies it. If the Settlement Agreement is terminated, the lawsuit will proceed against Wyeth as if such settlement had not been reached.

8. How Can I Get a Payment?

You must complete and return the enclosed Claim Form so that it is postmarked within 60 days (by **July 2, 2024**) to request a *pro rata* share of the Net Settlement Fund (though money from the settlement will only be distributed to Class members if the Court grants final approval of the settlement). Court-approved fees and expenses for the attorneys and service awards to the Class Representatives will also be paid by the Settlement Fund. Transactional sales data from Wyeth and Teva will be used to make the *pro rata* share calculations. You will need to verify the accuracy of the information in the Claim Form, and to sign and return the Claim Form according to the directions on the Claim Form. Class members have the opportunity to provide data or information to supplement or correct this information.

Claim Forms must be postmarked (with any necessary supporting documentation if the Claimant disagrees with the information contained in its Claim Form) within sixty (60) days of the date of the Claim Form (so by July 2, 2024).

THE LAWYERS REPRESENTING YOU

9. Do I Have a Lawyer in this Case?

The Court appointed the following attorneys to serve as Lead Class Counsel to represent you and all Class members. Their contact information is as follows:

Thomas M. Sobol
Hagens Berman Sobol Shapiro LLP
1 Faneuil Hall Sq., 5th Floor
Boston, MA 02109
tom@hbsslaw.com

David F. Sorensen
Berger Montague PC
1818 Market Street, Suite 3600
Philadelphia, PA 19103
dsorensen@bm.net

Peter Kohn
Faruqi & Faruqi LLP
One Penn Center, Suite 1550
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103
pkohn@faruqilaw.com

Barry S. Taus
Taus, Cebulash & Landau, LLP
123 William Street, Suite 1900A
New York, NY 10038
btaus@tcllaw.com

Dianne M. Nast
NastLaw LLC
1101 Market Street, Suite 2801
Philadelphia, PA 19107
dnast@nastlaw.com

Don Barrett
Barrett Law Group, P.A.
404 Court Square
P.O. Box 927
Lexington, MS 39095
donbarrettpa@gmail.com

10. Should I Get My Own Lawyer?

You do not need to hire your own lawyer if you are in the Class because the lawyers appointed by the Court are working on your behalf as to claims against Wyeth. You may hire a lawyer and enter an appearance through your lawyer at your own expense if you so desire.

11. How Will the Lawyers Representing the Class Be Paid?

If the Court gives Final Approval to the settlement with Wyeth, then the Court will be asked to approve reasonable fees and expenses for the lawyers who worked on the case and for reimbursement of the litigation expenses they have advanced on behalf of the Class. Lead Class Counsel intend to seek attorneys' fees of up to one third (33 1/3%) of the Settlement Fund, less court-approved expenses and service awards, but including a proportionate share of accrued interest. If the Court grants Lead Class Counsel's request, attorneys' fees and expenses would be deducted from the Settlement Fund. Class members will not have to pay any attorneys' fees or expenses out of their own pockets.

Any application by Lead Class Counsel for an award of attorneys' fees, reimbursement of expenses, and service awards to the Class Representatives will be filed with the Court on or before June 10, 2024 and made available for download and/or viewing at <https://bergermontague.com/cases/effexor-xr-antitrust-lawsuit/>, <https://www.hbsslaw.com>, <https://www.faruqilaw.com>, <https://nastlaw.com>, <https://tcllaw.com>, and <https://barrettllawgroup.com>, as well as the offices of the Clerk of Court for the United States District Court for the District of New Jersey, United States District Court for the District of New Jersey, Clarkson S. Fisher Federal Building & U.S. Courthouse, 402 East State Street, Trenton, New Jersey 08608, during normal business hours.

EXCLUDING YOURSELF FROM THE CLASS AND THE SETTLEMENT

12. Can I Get Out of the Settlement with Wyeth?

Yes, if you exclude yourself from the Class (*i.e.*, "opt out" of the Class) on or before June 17, 2024. To exclude yourself, you must send a letter via first class U.S. mail saying that you want to exclude yourself from the Direct Purchaser Class Action in *In re Effexor XR Antitrust Litigation*, No. 3:11-cv-5479 (D.N.J.). Be sure to include your name, address, telephone number, and your signature. Mail the exclusion to the lawyers listed in Question 14 below. Your letter requesting exclusion must be postmarked no later than June 17, 2024.

If you exclude yourself from the Class, you will not get a share of the Net Settlement Fund, you will not be legally bound by anything that happens in the lawsuit between Plaintiffs and Wyeth, and you may be able to sue (or continue to sue) Wyeth in the future about the legal issues in this case. If you exclude yourself from the Class, do not complete and return the Claim Form. If you exclude yourself from the Class so that you can start, or continue, your own lawsuit against Wyeth and/or Teva, you should talk to your own lawyer as soon as possible because your claims will be subject to a statute of limitations, which means that your claims will expire if you do not take timely action. You need to contact your own lawyer about this issue.

If you do not exclude yourself from the Class, you will not be able to start a lawsuit, continue a lawsuit, or be part of any other lawsuit against Wyeth arising from the claims released as part of the settlement, including claims brought in the case between Plaintiffs and Wyeth. All of the Court's orders in *In re Effexor XR Antitrust Litigation*, No. 3:11-cv-5479 (D.N.J.) relating to claims against Wyeth will apply to you and legally bind you. You will also be bound by the

Settlement Agreement between Plaintiffs and Wyeth if the Court grants Final Approval to the proposed settlement and enters final judgment in the case between the Plaintiffs and Wyeth.

13. If I Don't Exclude Myself, Can I Sue Wyeth for the Same Thing Later?

No. If you remain in the Class and the settlement is approved by the Court, you give up your right to sue Wyeth relating to your purchases of brand and generic Effexor XR. That is called “releasing” your claims and potential claims against Wyeth relating to your purchases of Effexor XR from Wyeth and/or generic Effexor XR from Teva. The full text of the release is included in the Settlement Agreement at Paragraph 13.

If you have your own pending lawsuit, speak to your lawyer in that case immediately, because you must exclude yourself from this Class to continue your own lawsuit against Wyeth. Remember, the exclusion deadline is June 17, 2024.

OBJECTING TO THE SETTLEMENT

You can tell the Court that you do not agree with all or any part of the proposed settlement, and/or the application for attorneys’ fees, costs, and expenses, and/or service awards to the Class Representatives. If you exclude yourself from the Class, however, you cannot object to the proposed settlement or the application for attorneys’ fees, costs, expenses and/or service awards to the Class Representatives. If you object to the proposed settlement but remain in the Class, you still must complete and return the enclosed Claim Form by mail within 60 days (by July 2, 2024) to request a *pro rata* share of the Net Settlement Fund.

14. How Do I Tell the Court That I Do Not Like the Settlement?

If you are a member of the Class and you do not opt out, you can object to the settlement or any part of it if you do not like it. The Court will consider your views. To object, you must send a letter via First Class U.S. Mail saying that you object to the settlement in *In re Effexor XR Antitrust Litigation*, No. 3:11-cv-5479 (D.N.J.). Be sure to include your name, address, telephone number, signature, and the reasons why you object to the settlement. Mail the objection separately to each of the following:

Counsel for Wyeth	Lead Class Counsel
Raj Gandesha White & Case LLP 1221 Avenue of the Americas New York, NY 10020 rgandesha@whitecase.com	David F. Sorensen Berger Montague PC 1818 Market Street, Suite 3600 Philadelphia, PA 19103 dsorensen@bm.net Thomas M. Sobol Hagens Berman Sobol Shapiro LLP 1 Faneuil Hall Sq., 5 th Floor Boston, MA 02109 tom@hbsslaw.com

	<p>Peter Kohn Faruqi & Faruqi LLP One Penn Center, Suite 1550 1617 John F. Kennedy Boulevard Philadelphia, PA 19103 pkohn@faruqilaw.com</p> <p>Barry S. Taus Taus, Cebulash & Landau, LLP 123 William Street, Suite 1900A New York, NY 10038 btaus@tcllaw.com</p> <p>Dianne M. Nast NastLaw LLC 1101 Market Street, Suite 2801 Philadelphia, PA 19107 dnast@nastlaw.com</p> <p>Don Barrett Barrett Law Group, P.A. 404 Court Square P.O. Box 927 Lexington, MS 39095 donbarrettpa@gmail.com</p>
Clerk of the Court	
<p>Clerk of the United States District Court for the District of New Jersey United States District Court for the District of New Jersey Clarkson S. Fisher Federal Building & U.S. Courthouse 402 East State Street Trenton, New Jersey 08608</p>	

Your objection must be postmarked no later than June 17, 2024. Again, whether or not you object to the proposed settlement, if you remain in the Class and do not opt out, you must complete and return the enclosed Claim Form by mail by July 2, 2024 to request a *pro rata* share of the Net Settlement Fund.

THE COURT'S FINAL FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the settlement. You may attend, and you may ask to speak, but you do not have to.

15. When and Where Will the Court Decide Whether to Approve the Settlement?

The Court will hold a Final Fairness Hearing at 11 a.m. on June 28, 2024 in Courtroom 1 of the United States District Court for the District of New Jersey, Clarkson S. Fisher Federal Building & U.S. Courthouse, 402 East State Street, Trenton, New Jersey 08608. At this hearing, the Court will consider whether the settlement with Wyeth is fair, reasonable, and adequate. If there are objections, the Court will consider them. After the hearing, the Court will decide whether to approve the settlement. We do not know how long these decisions will take. The date and time of the hearing is subject to change. Notice of such change will be posted at <https://bergermontague.com/cases/effexor-xr-antitrust-lawsuit/>, <https://www.hbsslaw.com>, <https://www.faruqilaw.com>, <https://nastlaw.com>, <https://tcllaw.com>, and <https://barrettlawgroup.com>.

16. Do I Have to Come to the Hearing?

No, you do not have to attend the hearing. Lead Class Counsel will answer any questions that Judge Sheridan may have. You are welcome to attend at your own expense, however.

If you send an objection, you do not have to come to Court to talk about it. So long as you mail your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but this is not necessary for you to receive a *pro rata* share of the Net Settlement Fund.

17. May I Speak at the Hearing?

If you are a member of the Class, you may ask the Court for permission to speak at the Final Fairness Hearing. To do so, you must send a letter via First Class U.S. Mail saying that it is your "Notice of Intention to Appear in *In re Effexor XR Antitrust Litigation*, No. 3:11-cv-5479 (D.N.J.)." Be sure to include your name, address, and telephone number, your signature, and a summary statement outlining your positions and the reasons for them, as well as copies of any supporting documents or briefs you want the Court to consider. Your Notice of Intention to Appear must be postmarked no later than June 17, 2024, and must be sent to the Clerk of the Court, Class Counsel and Counsel for Wyeth, at the addresses set forth in the responses to Question 14.

You cannot speak at the hearing if you do not send a Notice of Intention to Appear.

IF YOU DO NOTHING

18. What Happens If I Do Nothing at All?

If you are a member of the Class and you do nothing and the Court approves the settlement, then you will remain in the Class and will be eligible to participate in the settlement as described in this Notice. You will also release your claims against Wyeth as described in the Settlement Agreement. However, you will need to complete, sign, and return the Claim Form within sixty (60) days of the date on this Notice (so by July 2, 2024) in order to obtain a payment.

GETTING MORE INFORMATION

19. How Do I Get More Information?

If you have questions about this case or wish to read more detailed information about this litigation, you may call or write to Lead Class Counsel as indicated in Question 14. Further information is also available at <https://bergermontague.com/cases/effexor-xr-antitrust-lawsuit/>, <https://www.hbsslaw.com>, <https://www.faruqilaw.com>, <https://nastlaw.com>, <https://tcllaw.com>, and <https://barrettlawgroup.com>. The Notice and Claims Administrator, RG/2 Claims Administration, can be contacted at the following address:

Effexor XR Antitrust Litigation
RG/2 Claims Administration
P.O. Box 59479
Philadelphia, PA 19102-9479

This Notice is only a summary of the proposed settlement and is qualified in its entirety by the terms of the actual Settlement Agreement. A copy of the Settlement Agreement is on public file with the Office of the Clerk, United States District Court for the District of New Jersey, United States District Court for the District of New Jersey, Clarkson S. Fisher Federal Building & U.S. Courthouse, 402 East State Street, Trenton, New Jersey 08608, and is also available at <https://bergermontague.com/cases/effexor-xr-antitrust-lawsuit/>, <https://www.hbsslaw.com>, <https://www.faruqilaw.com>, <https://nastlaw.com>, <https://tcllaw.com>, and <https://barrettlawgroup.com>.

PLEASE DO NOT CALL OR WRITE TO THE COURT OR THE CLERK'S OFFICE FOR INFORMATION. PLEASE DIRECT ANY INQUIRIES TO ANY OF LEAD CLASS COUNSEL LISTED ABOVE.

DATE: May 3, 2024

BY THE COURT

The Honorable Peter G. Sheridan
United States District Judge