

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

IN RE RESTASIS (CYCLOSPORINE OPHTHALMIC
EMULSION) ANTITRUST LITIGATION

18-MD-2819 (NG) (LB)

THIS DOCUMENT APPLIES TO:

ORDER

ALL END-PAYOR PLAINTIFF CLASS CASES

GERSHON, United States District Judge:

On September 23, 2021, End-Payor Plaintiffs, on behalf of themselves and the End-Payor Class, entered a settlement with defendant Allergan, Inc. (“Settlement”). On January 18, 2022, I issued an order granting End-Payor Plaintiffs’ Unopposed Motion for Preliminary Approval of Class Action Settlement, Notice and Claims Plan, and Plan of Allocation. Dkt. No. 716 (“Preliminary Approval Order”). I now enter the following schedule in connection with the approved notice and claims plan and End-Payor Plaintiffs’ further filings relating to seeking final approval of the Settlement:

Event	Deadline/Hearing Date
A.B. Data to activate website and toll-free number and initiate digital publication notice.	February 1, 2022
A.B. Data to complete mailing of TPP Postcard Notice to third-party payors.	February 8, 2022
A.B. Data to complete publication notice.	April 19, 2022
End-Payor Plaintiffs to file A.B. Data declaration confirming that it has distributed Notice in accordance with the Notice Plan and the Preliminary Approval Order.	May 3, 2022
Class members to email or postmark any request to be excluded from the class. Exclusion requests must be emailed or mailed to A.B. Data.	May 3, 2022

<p>End-Payor Plaintiffs to file:</p> <ol style="list-style-type: none"> 1. A list of class members requesting exclusion from the Settlement;¹ 2. A motion opposing any requests for exclusion; 3. A motion for final approval; and 4. A motion for the payment of attorneys' fees, reimbursement of expenses, and service awards for the Class Representatives. 	May 17, 2022
<p>Class members to submit, if any:</p> <ol style="list-style-type: none"> 1. Responses to End-Payor Class Counsel's Motion for Entry of a Set-Aside Order (ECF No. 511); 2. Opposition to any motion opposing a request for exclusion; 3. Responses, objections, and/or oppositions to the motions for final approval, fees, reimbursement of expenses, and service awards; and 4. Notice of intent to appear at the fairness hearing.² 	June 7, 2022
<p>End-Payor Plaintiffs to file reply memoranda in support of the Motion for Entry of a Set-Aside Order, the motions for final approval, fees, reimbursement of expenses, and service awards, and any motion opposing any requests for exclusion.</p>	June 21, 2022
<p>Hearing on Motion for Entry of a Set-Aside Order, the final approval motion, fee motion, and any motion opposing any requests for exclusion.</p>	July 12, 2022 at 2 p.m. EST
<p>Class members to postmark date or file online claims and any supporting documentation.</p>	August 11, 2022

¹ To the extent any consumers opt out of the End-Payor Class, the names of those Class members shall be filed under seal.

² To the extent any such submissions by class members are received by class counsel or A.B. Data but not provided to the Court, End-Payor Plaintiffs shall promptly file such submissions via ECF.

SO ORDERED.

/S/

NINA GERSHON
United States District Judge

January 20, 2022
Brooklyn, New York