

**THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE SUBOXONE (BUPRENORPHINE  
HYDROCHLORIDE AND NALOXONE)  
ANTITRUST LITIGATION**

**MDL No. 2445**

**Master File No. 2:13-MD-2445-MSG**

THIS DOCUMENT RELATES TO:

*End Payor Actions*

**END PAYOR PLAINTIFFS' MOTION FOR  
(1) AWARD OF ATTORNEYS' FEES, (2) REIMBURSEMENT OF  
LITIGATION EXPENSES, AND (3) PAYMENT OF SERVICE  
AWARDS TO THE CLASS REPRESENTATIVES**

Pursuant to this Court's Amended Order *Nunc Pro Tunc* August 21, 2023, Granting End Payor Plaintiffs' Unopposed Motion for Preliminary Approval of End Payor Settlement and For Other Relief (ECF No. 935), Plaintiffs A.F. of L. – A.C.G. Building Trades Welfare Plan, Construction & General Laborers' Local 190 Welfare Fund, I.B.E.W. 292 Health Care Plan, Michigan Regional Council of Carpenters Employee Benefits Fund, Painters District Council No. 30 Health and Welfare Fund, Teamsters Health Services and Insurance Plan Local 404, and United Food & Commercial Workers Health and Welfare Fund of Northeastern Pennsylvania (collectively, "End-Payors" or "Plaintiffs"), respectfully move this Court for an order awarding (1) attorneys' fees of \$10,000,000 (1/3 of the \$30,000,000 Settlement Fund), (2) reimbursement of costs and expenses of \$2,519,904.62, and (3) a contribution award to each Plaintiff of \$15,000. In support of their motion Plaintiffs submit the accompanying Memorandum of Law in Support of End-Payor Plaintiffs' Motion for (1) Award of Attorneys' Fees, (2) Reimbursement of Litigation Expenses, and (3) Payment of Service Awards to the Class Representatives ("Memorandum"), and the

Declaration of Kenneth A. Wexler (“Wexler Decl.”) attached as Exhibit A to Plaintiffs’ Memorandum. A proposed order related to this motion will be provided to the Court when Plaintiffs file their supplemental filing on October 14, 2023, in which they will address the *Girsh v. Jepson*, 521 F.2d 153, 157 (3d Cir. 1975) and *In re Prudential Ins. Co. Am. Sales Practice Litig. Agent Actions*, 148 F.3d 283, 323 (3d Cir. 1998), factors the Court should consider when determining whether to grant final approval to the Settlement. (Dkt. No. 935, paragraph 26).

Dated: September 5, 2023

Respectfully submitted,

Michael Buchman  
Motley Rice LLC  
777 Third Avenue, 27th Floor  
New York, New York 10017  
mbuchman@motleyrice.com

/s/ Kenneth A. Wexler  
Kenneth A. Wexler  
Wexler Boley & Elgersma LLP  
311 South Wacker Drive, Suite 5450  
Chicago, IL 60606  
(312) 346-2222  
kaw@wbe-llp.com

Steve D. Shadowen  
Hilliard Shadowen LLP  
1135 W. 6th Street, Suite 125  
Austin, TX 78703  
steve@hilliardshadowenlaw.com

Marvin A. Miller  
Miller Law LLC  
145 South Wells Street, Suite 1800  
Chicago, IL 60606  
(312) 332-3400  
mmiller@millerlawllc.com

*Interim Co-Lead Counsel for the End Payor Class*

Jeffrey L. Kodroff  
Spector Roseman & Kodroff, P.C.  
2001 Market Street, Suite 3420  
Philadelphia, PA 19103  
Tel: (215)-496-0300  
jkodroff@srkattorneys.com

*Liaison Counsel for End Payor Class*