

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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

THIS DOCUMENT RELATES TO:

End Payor Plaintiff Actions

MDL No. 2445

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

**DECLARATION OF KENNETH A. WEXLER
IN SUPPORT OF END-PAYOR PLAINTIFFS' MOTION FOR AUTHORIZATION
TO DISTRIBUTE THE NET SETTLEMENT FUND TO THE CLASS**

I, Kenneth A. Wexler, hereby declare under penalty of perjury and pursuant to 28 U.S.C. § 1746, as follows:

1. I am a partner at the law firm of Wexler Boley & Elgersma, LLP, and am one of four Court appointed Co-Lead Counsel in this matter for an End Payor Class consisting of consumers and Third-Party Payors (“TPPs”) (“End Payors” or “EPPs”).

2. I submit this Declaration in Support of End-Payor Plaintiffs’ Motion in Support of Authorization to Distribute the Net Settlement Fund to the Class (ECF Nos. 1012 to 1012-13 (“Distribution Motion”)) and the Memorandum in Advance of February 6, 2026 Hearing Regarding End-Payor Plaintiffs’ Motion to Authorize Distribution of the Net Settlement Fund to the Class.

3. A.B. Data has brought to Class Counsel’s attention that an additional Consumer Claimant has requested Court review – Claim No. 276484208. This Consumer Claimant, who requested Court review through the Settlement Administrator, is identified by their claim number

and the summary information and documents regarding their claim, attached to this Declaration, are filed under seal.

4. Attached as Exhibit A are copies of the claims submitted by Claimant No. 276484208 provided to Class Counsel by A.B. Data.

5. Attached as Exhibit B are copies of A.B. Data emails summarizing and related to its decision to recommend denying the claims of Claimant No. 276484208, provided to Class Counsel by A.B. Data.

6. In short, according to A.B. Data, Claimant No. 276484208 filed three claims – one paper and two online, and two of the claims were initially flagged as duplicates. *See Exhibits A and B.*

7. The claims were audited, and the Claimant was asked to provide documentation showing payment for Suboxone or its generic equivalent. *See Exhibit B.* Claimant No. 276484208 supplied purported receipts, but all appeared to be fraudulent. *Id.* As a result, A.B. Data recommends denying the claims of Claimant No. 276484208 due to lack of documentation and indications of fraud. *Id.*

I declare under penalty of perjury that foregoing is true and correct and that this declaration was executed on February 4, 2026, in Chicago, Illinois.

/s/ Kenneth A. Wexler
Kenneth A. Wexler