

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ADRIANA M. CASTRO, et al., on behalf of
themselves and all others similarly situated,
Plaintiffs,

v.

SANOFI PASTEUR INC.,
Defendant.

Civil Action No. 11-7178

ORDER

This matter having come before the Court by way of Plaintiffs' Motion for Class Certification [Dkt. No. 309] and Defendant's Motion to Exclude Plaintiffs' Class Experts [Dkt. No 337];¹

and the Court having held a Daubert hearing from September 9th – September 11th, 2015;
and the Court finding that the class certification requirements of numerosity, typicality, commonality, adequacy, predominance, and superiority have been met;

and for the reasons contained in the accompanying Opinion and good cause having been shown;

IT IS on this 30th day of September, 2015;

ORDERED that Defendant's Motion to Exclude Plaintiffs' Class Experts is **DENIED**;
and it is further

ORDERED that Plaintiffs' Motion for Class Certification is hereby **GRANTED** and the following class is certified in this case:

All persons or entities in the United States and its territories that purchase Menactra directly from defendant Sanofi Pasteur Inc.

¹ The Court previously denied Plaintiffs' Motion to Strike various declarations and expert reports [Dkt. No. 344] on the record at the Daubert hearing.

(“Sanofi”) or any of its divisions, subsidiaries, predecessors or affiliates, such as VaxServe, Inc., during the period from March 1, 2010 through such time as the effects of Sanofi’s illegal conduct have ceased (“Class Period”), and excluding all governmental entities, Sanofi, Sanofi’s divisions, subsidiaries, predecessors, and affiliates, Kaiser Permanente and the Kaiser Foundation (collectively “Kaiser”), and any purchases by entities buying Menactra pursuant to a publicly-negotiated price (i.e., governmental purchasers);

and it is further

ORDERED that Adriana M. Castro, M.D., P.A., Sugartown Pediatrics, LLC, and Marquez and Bengochea, M.D., P.A., are appointed as representatives of the Class; and it is further

ORDERED that Berger & Montague, P.C. and Linda P. Nussbaum and the Nussbaum Law Group, P.C. are appointed as Co-Lead Class Counsel and the law firm of Cohn Lifland Pearlman Herrmann & Knopf LLP is appointed as Liaison Class Counsel.

/s/ Madeline Cox Arleo

Hon. Madeline Cox Arleo

UNITED STATES DISTRICT JUDGE