

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

<p>ADRIANA M. CASTRO, M.D., P.A.; SUGARTOWN PEDIATRICS, LLC; and MARQUEZ and BENGOCHEA, M.D., P.A., on behalf of themselves and all others similarly situated,</p> <p>Plaintiffs,</p> <p>v.</p> <p>SANOFI PASTEUR INC.,</p> <p>Defendant.</p>	<p>Civil Action No. 2:11-cv-07178-JMV-MAH</p>
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**ORDER APPROVING PLAINTIFFS' UNOPPOSED MOTION  
FOR DISTRIBUTION OF NET SETTLEMENT FUND**

AND NOW, on this 11<sup>th</sup> day of October <sup>(2nd)</sup>, 2018 upon consideration of Plaintiffs'

Unopposed Motion for Distribution of Net Settlement Fund dated June 29, 2018, and supporting papers:

Whereas, on October 23, 2017, this Court entered an Order Granting Final Approval of Class Action Settlement, whereby the Court approved a Settlement Agreement between and among Adriana M. Castro, M.D., P.A., Sugartown Pediatrics, LLC, and Marquez & Bengochea, M.D., P.A., (collectively "Plaintiffs") and Defendant Sanofi Pasteur Inc. ("Sanofi"), dated October 20, 2017 (Dkt. No. 523) ("Final Approval Order"), and the Plan of Distribution of the Net Settlement Fund approved therein;

Whereas, the Court-approved Plan of Distribution of the Net Settlement Fund ("Plan of Distribution") required the Court-appointed settlement administrator Rust Consulting, Inc. ("Rust") to mail individualized Claim Forms to each Class Member that: (a) set forth the total

volume of qualifying Menactra purchases specifically for that Class member during the Class Period, based on transactional data produced by Sanofi; (b) identified the Class member's name and address including a list of related entities; (c) requested that Class member to verify the accuracy of the information contained in the Claim Form; (d) provided instructions for challenging the total amount of Menactra purchases contained in the Claim Form; and (e) if that Class member agreed that the information contained in the Claim Form was accurate as to its purchase levels, to sign the Claim Form verifying its accuracy, and timely mail it to Rust.

Whereas, Rust sent the required Claim Forms to Class Members on or about November 16, 2017 by first class mail (postage prepaid) and Co-Lead Counsel submitted a motion for distribution of Net Settlement Fund on June 29, 2018 as required;

Whereas, Co-Lead Counsel has submitted the Declaration of Jessica Jenkins the Senior Project Manager for Rust, ("Jenkins Distribution Decl."), verifying the actions taken by Rust to: (i) mail all Claim Forms to Class Members; (ii) verify the accuracy of submitted Claim Forms; (iii) in concert with Econ One, Inc., the Court-approved economic consulting firm for purposes of Settlement Administration, and consultation with Co-Lead Class Counsel (a) analyze transaction data provided by Sanofi, and (b) work with Class Members to cure deficiencies and discrepancies in submitted Claim Forms, if possible; and, (iv) make a final determination as to the 5,536 Claimants that are eligible to share in the Net Settlement Fund, which shares are to be calculated using the Court-approved methodology set forth in the Plan of Distribution;

WHEREAS, the Jenkins Distribution Declaration lists certain expenses necessarily incurred in connection with the administration of the Settlement and the distribution of the Net Settlement Fund;

WHEREAS, Co-Lead Counsel has submitted the Declaration of Eric L. Cramer, Esq.

identifying additional reasonable expenses incurred in connection with the litigation of this case (but inadvertently not included in the prior motion for reimbursement of fees and costs);

WHEREAS, as set forth in ¶ 20 of the Final Approval Order, the Court has retained jurisdiction over the action, the parties, and Class Members.

NOW THEREFORE, IT IS HEREBY ORDERED, as follows:

1. The administrative determinations by Rust, the Court-appointed Settlement Administrator in this case, concerning the Claims submitted in this case are hereby APPROVED.
2. The settlement funds in the above-captioned action, less any taxes, attorneys' fees and expenses awarded by the Court, including deduction of the payments specified herein (the "Net Settlement Fund") shall be distributed to Class Members whose Proof of Claim forms have been accepted by Rust using the Court-approved methodology set forth in the Plan of Distribution.
3. Payment of \$318,754.17 to Rust Consulting Inc. and \$18,586.50 to Econ One, Inc. for fees and expenses incurred in connection with the serviced performed in processing the Proof of Claim forms and in administering the Settlement is hereby APPROVED.
4. Payment of \$46,117.71 to Co-Lead Counsel for additional reasonable expenses incurred in the litigation of this case is hereby APPROVED.
5. Payment of \$75,000 for taxes owed by the Net Settlement Fund, as a Qualified Settlement Fund, on interest income earned on the funds deposited in the Court-approved escrow account prior to the funds being distributed is hereby APPROVED.
6. Withholding of \$50,000 from the Net Settlement Fund to address any unanticipated disputes or discrepancies arising from the claims process and distribution of the Net Settlement Fund is hereby APPROVED.

7. No further Claims received by Rust shall be allowed.

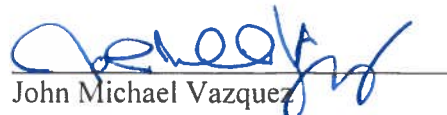
8. Any further claims against the Net Settlement Fund established for purposes of this Settlement are finally and forever barred.

9. Plaintiffs, Co-Lead Counsel, Rust, Econ One, and all persons who were involved in the review, verification, calculation, tabulation, or any other aspect of the processing of the claims filed in this action, or who are otherwise involved in the administration or taxation of the Net Settlement Fund, are hereby released and discharged from any and all claims arising out of such involvement, and, pursuant to the release terms of the Settlement Agreement, all Class Members, whether or not they are to receive payment form the Net Settlement Fund, are hereby barred from making any further claim against the Net Settlement Fund beyond the amount allocated to them by the Settlement approved by the Court.

10. Co-Lead Counsel, Rust and Econ One are hereby authorized within two (2) years after the distribution of the Net Settlement Fund to Class Members with accepted claims to discard: (a) paper or hard copies of Proof of Claim forms and related documents; and (b) electronic media or data.

11. The Court retains jurisdiction over any further application or matter which may arise in connection with the administration of this Settlement.

BY THE COURT:

  
John Michael Vazquez  
United States District Judge