

EXHIBIT 3

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

GOVERNMENT EMPLOYEES HEALTH
ASSOCIATION, on behalf of itself and all
others similarly situated

Plaintiff,

v.

ACTELION PHARMACEUTICALS Ltd.,

Defendants.

Civil Action No. 1:18-cv-3560-GLR

DECLARATION AND NOTICE PLAN OF ERIC J. MILLER

I, Eric J. Miller, declare as follows:

1. I am the Senior Vice President of Case Management at A.B. Data, Ltd.'s Class Action Administration Company ("A.B. Data"), whose corporate office is located in Milwaukee, Wisconsin. My business address is 5080 PGA Boulevard, Suite 209, Palm Beach Gardens, FL 33418.

2. I am submitting this declaration at the request of Co-Lead Class Counsel in connection with the above-captioned action ("Action"). This declaration will provide the Court with information about the procedures and methods to be used to provide notice to Class Members. The statements in this declaration are based on my personal knowledge and information provided by Class Counsel, my associates, and other A.B. Data employees working under my supervision, and if called on to do so, I could and would testify competently thereto.

3. A.B. Data was appointed by the Court to act as the Notice Administrator in this Action and completed the Court-approved Notice Plan in connection with class certification.

4. I previously submitted a declaration, *Declaration of Eric J. Miller Regarding Class Notice*, dated November 11, 2024 (ECF No. 367-6), outlining my and A.B. Data's credentials.

5. A.B. Data has successfully implemented notification and claims administration programs in thousands of class actions. More information on A.B. Data's qualifications and experience can be found on our website at www.abdataclassaction.com. An updated description of A.B. Data's background and capabilities, and lists of representative cases, is provided in A.B. Data's current firm resume, attached as **Exhibit A**.

NOTICE PLAN

6. In consultation with Class Counsel, I prepared a proposed notice plan ("Notice Plan") to provide notice about the proposed Settlement to the certified class, which is defined as:

All entities that, for consumption by their members, employees, insureds, participants or beneficiaries, purchased, paid and/or provided reimbursement for some or all of the purchase price of Tracleer or bosentan, other than for resale, in Arizona, California, District of Columbia, Florida, Illinois, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Puerto Rico, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Virginia, West Virginia, or Wisconsin, at any time during the period from December 29, 2015, through and until September 6, 2024.

7. The Notice Plan includes robust direct notice via email and First-Class Mail and supplemental paid and earned media. A dedicated, case-specific website and telephone line will complement the Notice Plan and serve as a resource for Class Members to get more information.

8. The Notice Plan uses customary procedures that have been widely adopted in pharmaceutical class actions to meet due process and reach the greatest practicable number of Class Members. Given our experience in notifying TPPs in pharmaceutical class actions, A.B. Data expects the individual direct notice efforts detailed below, supplemented by paid and earned media, to successfully reach most Class Members. The proposed Notice Plan is designed to reach at least 80% of potential TPP Class Members.

9. In consultation with Class Counsel, I have prepared a short-form and long-form notice, and a claim form, to be made available to Class Members as described in detail below. Those documents are attached as **Exhibits B** (Long-form notice), **C** (Short-form notice), and **D** (Claim form) to this declaration.

DIRECT NOTICE

10. A.B. Data maintains and annually updates a proprietary database of approximately 44,000 entities that include: (i) insurance companies; (ii) health maintenance organizations; (iii) self-insured entities such as large corporations, labor unions, and employee benefit and pension plans; and (iii) certain record keepers and other entities that represent TPPs, such as pharmacy benefit managers and third-party administrators (the “TPP Database”). This TPP Database is regularly used by A.B. Data to successfully notify Class Members in pharmaceutical class actions like this one.

11. A Summary Notice in the form of a postcard (“Postcard Notice”) (approved by the Court) will be sent via First-Class Mail to the entire TPP Database.

12. Prior to mailing, A.B. Data will standardize and update all mailing addresses through the United States Postal Service (“USPS”) National Change of Address (“NCOA”) database. All Postcard Notices that are returned as undeliverable with forwarding addresses provided by USPS will be processed, updated in a case-specific database, and re-mailed. For Postcard Notices returned without any forwarding addresses, A.B. Data will attempt to obtain updated addresses for the addressees concerned using proprietary subscription databases and, in instances where updated addresses are found, re-mail the applicable Postcard Notices.

13. A.B. Data will also send notice by email to approximately 1,500 entities in its TPP Database with available, valid email addresses. The Email Notices will include a link that allows recipients to visit the case-specific website for additional information.

SUPPLEMENTAL PAID MEDIA

14. Paid media will supplement the direct notice described above in the form of digital advertising. A.B. Data regularly utilizes selected industry-related websites to successfully notify Class Members in pharmaceutical class actions.

15. Custom banner advertisements (“banner ads”) will run for 30 days on ThinkAdvisor.com/life-health. This website is affiliated with the former publication *National Underwriter Life & Health*. It is uniquely positioned to provide agents and brokers with timely, insightful information, as they navigate the specialty insurance markets and sort through critical industry developments.

16. The banner ads will include an embedded link to the case-specific website. A draft of the banner ad is attached to this declaration as **Exhibit E**.

EARNED MEDIA

17. In addition to direct notice and paid media, A.B. Data will distribute a news (press) release via *PR Newswire*’s US1 Newsline. The news release will reach traditional media outlets (television, radio, newspapers, magazines), news websites, and journalists nationwide. A news release serves a valuable role in providing additional notice exposure beyond the paid media.

18. A.B. Data will also share information about the case with its followers on X, formerly known as Twitter.

WEBSITE

19. A.B. Data will update and maintain the dedicated, case-specific website—<https://tracleerlitigation.com>—where Class Members can easily access information about this Action and the proposed Settlement. It will provide, among other things, a case summary; Class Member rights and options; relevant documents, such as the Long Form Notice, Settlement Agreement, Claim Form, and other case-related files; important dates and deadlines; and any

pertinent updates concerning the Action. The website will also contain a claims-filing portal for Class Members who wish to submit their Claim online. The case-specific website will be secure, with an “https” designation. The website address will appear on the notices and will be hyperlinked from the digital banner ads.

TOLL-FREE TELEPHONE NUMBER

20. A.B. Data will update and maintain the case-specific toll-free telephone number to address potential Class Member inquiries. The toll-free telephone number is equipped with an automated interactive voice response (“IVR”) system that presents callers with a series of choices to hear prerecorded information about this Action. The automated telephone system is available 24 hours per day, seven days per week. If callers need further help, they have the option to speak with a live operator during business hours. After business hours, callers may leave a voicemail message, and their call will be returned. The toll-free telephone number will be prominently displayed in the notices and on the website.

PLAIN LANGUAGE NOTICE DESIGN

21. The Notices are designed to be noticed, reviewed, and – by presenting the information in plain language – understood by Class Members. The notice design follows the principles embodied in the Federal Judicial Center’s (“FJC”) illustrative model notices posted at www.fjc.gov. Many courts have approved notices similarly written and designed. The Notices contain substantial, easy-to-read summaries of all key information about Class Members’ rights, including the ability to object or file a claim, and the deadlines to do so. Consistent with our normal practice, all Notices will undergo a final edit for grammatical errors and accuracy prior to actual mailing and publication.

CLAIMS ADMINISTRATION

22. A.B. Data will also provide claims administration services, including processing each submitted Claim Form, determining each Class Member's distribution amount, and preparing and sending distribution checks to eligible Class Members. A.B. Data may also provide additional services upon request, including setting up, administering, and preparing a tax return for the qualified Settlement Fund (“QSF”).

23. Class members who wish to be potentially eligible to receive a payment from the Settlement Fund will be required to complete and submit a properly executed Claim Form along with any required supporting documents either by mail or online through the case-specific website, so it is postmarked (if mailed) or received no later than the claims-submission deadline established by the Court.

24. A copy of the Claim Form is attached as Exhibit D. As indicated on the Claim Form, each claimant must submit sufficient information to confirm that it made purchases of the relevant products, during the relevant time period, and in the relevant states or territories to qualify as a class member. The Claim Form requires the submission of data indicating all of this information, along with the amounts that the claimant paid in connection with their qualifying purchases.

25. A.B. Data will review each Claim Form upon receipt to verify that all required information was provided. Information provided with each Claim Form will be reviewed for accuracy. A.B. Data will process each Claim Form in accordance with the Court-approved Settlement Agreement and Plan of Allocation and/or relevant Court orders.

26. If a claim is determined to be defective, A.B. Data will send a deficiency notification to the claimant, via letter or email, that describes why the claim is deficient and including, where

applicable, what is necessary to cure the deficiency. The deficiency notification will also advise claimants how much time they have to submit the appropriate information and/or documentary evidence to complete/cure their claim. If the deficiency in the claim is not cured, the claim will be recommended for rejection (in whole or in part). The deficiency notification will also advise claimants of their right to contest A.B. Data's administrative determination with respect to their claim.

27. After the claims (and responses to deficiency notifications) have been fully processed, quality assurance reviews performed, and final administrative determinations have been made as to which claims are valid, A.B. Data will prepare an administrative report on the claims received for the Settlement, along with a proposed plan for distribution, in consultation with Co-Lead Counsel. Thereafter, upon Court approval, A.B. Data will distribute the net Settlement proceeds to eligible Class Members.

28. Distributions from the net Settlement proceeds will be sent to eligible Class Members via check with a specified period for each claimant to cash their payment (typically 90 or 120 days). For any checks that are not cashed, A.B. Data will conduct an outreach campaign to encourage cashing and to provide claimants with reissued checks where applicable. The procedure described above is the standard claims administration process for pharmaceutical class action settlements.

CONCLUSION

29. It is my opinion, based on my individual expertise and experience and that of my A.B. Data colleagues, that the proposed Notice Plan is designed to effectively reach potential Class Members. This plan, including robust direct notice and supplemental paid and earned media, conforms to the standards employed by A.B. Data in similar notification programs. This Notice

Plan is the best practicable approach to reach Class Members in this Action and fully satisfies the requirements of Rule 23 of the Federal Rules of Civil Procedure and due process.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Palm Beach Gardens, Florida, on this 4th day of March, 2026.



ERIC J. MILLER

EXHIBIT A

Class
Action
Administration



DATA

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CAPABILITIES

About A.B. Data


 Founded in 1981, **A.B. Data has earned a reputation** for expertly managing the complexities of class action administration in consumer, antitrust, securities, Securities and Exchange Commission (SEC) enforcement actions, and ERISA, Attorneys General, employment, civil rights, insurance, environmental, wage and hour, and other class action cases. **A.B. Data's work in all aspects of class action administration** has been perfected by decades of experience in hundreds of class action cases involving billions of dollars in total settlements. Dedicated professionals deliver **A.B. Data's all-inclusive services**, working in partnership with its clients to administer their class action cases effectively, efficiently, and affordably, regardless of size or scope.

A.B. Data offers unmatched resources and capacity and is capable of expertly administering any class action notice, settlement, and/or fund administration. Whether notifying millions of class members in the United States or throughout the world, processing millions of claims, distributing payments digitally via A.B. Data's Digital PayPortalSM, or printing and distributing millions of checks, **A.B. Data matches its talent and technology** to the specific needs of its clients, delivering unparalleled service on time and on budget without ever compromising quality.

Location, Ownership Structure

 **A.B. Data is an independently owned**, more than 40-year-old, Milwaukee, Wisconsin-based company that prides itself on its vast expertise and industry-leading innovations. We like to remind our clients and partners that we're not just a class action administration company, but a group of experienced, dedicated professionals who believe that relationships are just as important as the accurate and timely management of class action administrations. In other words, we are people who do business with people.

Services

 **Every A.B. Data client is deserving of the best job we can put forward.** A.B. Data makes class action administration easy for our clients with clarity, convenience, and efficiency. Our priority is to navigate the intricacies of our clients' matters and deliver successful results by using our solid expertise, advanced technology, and top-quality products and services. We pay attention to the details and get it right the first time.

We aim to provide our clients the full experience of a truly collaborative working relationship. It is why we believe much of our success originates from our philosophy of "people doing business with people."

Services

All Digital – From Notice to Distribution

A.B. Data is uniquely positioned to design, implement, and maintain notice and settlement administration programs using an innovative, "all-digital" approach that replaces the more traditional and less efficient methods of administration, such as newspaper ads, mailed notices, and paper checks. Many of our recent proposed notice plans and claim programs utilize the latest technologies such as microtargeted digital ads for notice, streamlined online claims, and distributing settlement funds electronically using a digital paywall. These methods provide significant cost savings, are consistent with the amendments to Rule 23 that are now in effect, and importantly provide much-needed alignment of class action notice and administration with current consumer behaviors.

Pre-Settlement Consultation

The pre-settlement consultation is a collaborative session designed to help A.B. Data clients prepare a stronger case. Our support teams simplify the task of sorting through a maze of documents during investigation and discovery, streamlining the process and preserving fund assets. From there, we assist with fully interactive media packages for court presentations and settlement negotiations. A.B. Data works closely with our clients, offering expert testimony on documents, processing, class and notice manageability, and proposed plans of allocation.

Media Services

A.B. Data continues to earn our reputation as the early innovator in integrating advanced micro-targeting techniques, including contextual targeting, behavioral targeting, and predictive modeling. Coupled with inventive digital media strategies to drive claims, case-specific banner ad development, class member research, and comScore analysis services, our multi-tiered media programs are designed to cost-effectively deliver notice to potential class members and increase claims rates.

Notice Administration

In A.B. Data, clients have a comprehensive resource with a depth of experience in direct notice. Our compliance and understanding of Rule 23 of the Federal Rules of Civil Procedure are crucial in meeting the "plain language" legal requirements for any campaign. From our sophisticated digital media capabilities and extensive global experience with class member research, our experts create notice documents that are easily understandable and cost-efficient to produce. We consult with our clients to deliver notice documents from multi-page, mailed, or emailed notice packets to concise postcards that establish the most influential and cost-effective means of communicating with potential claimants.

Claims Processing

A.B. Data continues to bring game-changing technologies to improve the speed and precision in claims processing. Our robust system for online claims submissions allows us to meticulously verify data and documentation, preserve and authenticate claims, and calculate and verify settlement amounts. In addition, our data network infrastructure includes on-site data storage, backup, contingency plans, and security for electronic and hard copy claim filings. It is all part of a total commitment to be the most innovative and comprehensive resource in the industry. At A.B. Data, we take pride in having the in-house capacity to process millions of pages, as well as the organizational integrity to treat every claim as if it were the only one.

Contact Center

A.B. Data's Contact Center is comprised of a full staff that is trained on and equipped with online and telecommunication systems to monitor and connect with class members. Associates routinely monitor class member communication for all class action administrations, including antitrust, consumer, and securities.

Utilizing monitoring software, associates watch multiple social media channels simultaneously, allowing for instantaneous routing of inquiries and interaction with claimants. Detailed and concise analytical reports outlining Contact Center activities are always provided.

Our Contact Center and case websites are capable of handling millions of class member engagements, as recently displayed in a campaign which garnered over 1.2 million website visits in two months and had more than 72,500 Facebook engagements. Facebook comments and threads are monitored and claimants are guided to the website for more information. Google AdWords and display advertising have also brought hundreds of thousands of visitors to various case websites.

A.B. Data's Contact Center also has Spanish language associates in-house and we can accommodate any language, given proper lead time. Traditional call center facilities are also available, if needed.

Case Websites

We offer a state-of-the-art technology platform that supports every step of our class action administration process. Our expert marketing professionals design customized case-specific websites that provide potential class members easy access to case information, critical documents, important deadlines, as well as the capability to file claim forms and register for future mailings about the case. Claimants can use the website to elect to receive their settlement payments by mail or by one of several digital payment options, all accessible by mobile devices.

Settlement Fund Distribution

From complete escrow services to establishment of qualified settlement funds, check printing and mailing, electronic cash or stock distribution and tax services, A.B. Data has always provided a full-service solution to Settlement Fund Distribution. Our IT team has decades of experience in developing and implementing fast, secure databases and claims administration systems that ensure class members receive the correct amount in their settlement disbursement. Today's digital capabilities allow even greater convenience for class members. In certain instances, claimants can now elect to

instantaneously receive settlement payments through popular digital-payment options, such as PayPal, Amazon, and virtual debit cards.

A.B. Data's Leadership



A.B. Data's administration team is composed of the following key executives, who collectively have decades of experience settling and administering class actions:

Bruce A. Arbit, Co-Managing Director and one of the founders of the A.B. Data Group, serves as Chairman of the Board and oversees the day-to-day operations of the A.B. Data Group of companies, employing almost 400 people in the United States and Israel. Mr. Arbit is also Chairman of the Board of Integrated Mail Industries, Ltd. and has served as a member of the Board of Directors of University National Bank and State Financial Bank. He is the past Chairman of Asset Development Group, Inc., Home Source One, and American Deposit Management and is a member of the National Direct Marketing Association, the Direct Marketing Fundraising Association, and the American Association of Political Consultants. He was named 1996 Direct Marketer of the Year by the Wisconsin Direct Marketing Association.

A.B. Data's work in class action litigation support began with the Court selecting A.B. Data to oversee the restitution effort in the now-famous Swiss Banks Class Action Case, the International Commission on Holocaust Era Insurance Claims, and every other Holocaust Era Asset Restitution program, in which it was the company's job to identify, contact, and inform survivors of the Holocaust. A.B. Data delivered by reaching out to millions of people in 109 countries who spoke more than 30 languages. Since those days, Mr. Arbit has guided the class action division through phenomenal growth and success. Today, A.B. Data manages hundreds of administrations annually that distributes billions of dollars to class members.

Thomas R. Glenn, President, Mr. Glenn's management of A.B. Data's Class Action Administration Company includes designing and implementing notice plans and settlement administration programs for antitrust, securities, and Securities and Exchange Commission settlements and SEC disgorgement fund distributions, as well as consumer, employment, insurance, and civil rights class actions. Mr. Glenn previously served as Executive Vice President at Rust Consulting and has more than 30 years of executive leadership experience.

Eric Miller, Senior Vice President, as a key member of A.B. Data's Class Action Administration Leadership Team, oversees the Case Management Department and supervises the operations and procedures of all of A.B. Data's class action administration cases. Mr. Miller is recognized in the class action administration industry as an expert on securities, SEC, consumer, product recall, product liability, general antitrust, pharmaceutical antitrust, and futures contract settlements, to name a few settlement types. Prior to joining A.B. Data, Mr. Miller served as the Client Service Director for Rust Consulting, responsible there for its securities practice area. He has more than 20 years of operations, project management, quality assurance, and training experience in the class action administration industry. In addition, Mr. Miller manages A.B. Data's office in Palm Beach Gardens, Florida.

Justin Parks, Senior Vice President, is a member of A.B. Data's Class Action Administration Leadership Team. Mr. Parks brings extensive experience in client relations to A.B. Data's business development team. Mr. Parks has over 15 years of experience in the legal settlement administration services industry and has successfully managed and consulted on notice plans and other administrative aspects in hundreds of cases. Mr. Parks is uniquely experienced in Data Privacy matters, having consulted with clients on numerous matters stemming from data breaches as well as violations of the Illinois Biometric Information Privacy Act (BIPA), including some of the first ever Biometric Privacy related settlements in history. Mr. Parks' knowledge and understanding of the class action industry, as well as his client relationship skills, expand A.B. Data's capacity to achieve its business development and marketing goals effectively.

Elaine Pang, Vice President, Media, oversees the Media Department and is responsible for the direction, development, and implementation of media notice plans for A.B. Data's clients. Ms. Pang brings more than 15 years of experience in developing and implementing multifaceted digital and traditional media for high profile complex legal notice programs. She uses her experience in class actions and advertising to provide the best practicable notice plans for large scale campaigns across domestic and international regions, and she leverages her expertise to better understand the evolving media landscape and utilize cutting-edge technology and measurement tools. Prior to entering the class action industry, Ms. Pang worked with many leading reputable brands, including General Mills, Air Wick, Jet-Dry, Comedy Central, Madison Square Garden, Radio City Music Hall, and Geox. She earned her MBA from Strayer University and holds a BS in Marketing from Pennsylvania State University. Ms. Pang's credentials include Hootsuite Social Marketing Certification, Google Adwords and Analytics Certification, and IAB Digital Media Buying and Planning Certification.

Paul Sauberer, Vice President of Quality, is responsible for overseeing quality assurance and process management, working diligently to mitigate risk, ensure exceptional quality control, and develop seamless calculation programming. Mr. Sauberer brings more than 20 years of experience as a quality assurance specialist with a leading claims-processing company where he developed extensive knowledge in securities class action administration. He is recognized as the class action administration industry's leading expert on claims and settlement administrations of futures contracts class actions.

Steve Straub, Vice President, Operations, started with A.B. Data in 2012 as a Claims Administrator. He moved through the ranks within the company where he spent the past five years as Senior Project Manager managing many of the complex commodities cases such as *In re LIBOR-Based Financial Instruments Antitrust Litigation*, *In re London Silver Fixing, Ltd. Antitrust Litigation*, and *Laydon v. Mizuho Bank, Ltd., et al.* Mr. Straub's performance in these roles over the past ten years, along with his comprehensive knowledge of company and industry practices and first-person experience leading the project management team, has proven him an invaluable member of the A.B. Data team.

In his role as Vice President of Operations, his responsibilities include developing efficiencies within the operations center, which includes mailroom, call center, and claims processing areas. His areas of expertise include business process development, strategic/tactical operations planning and implementation, risk analysis, budgeting, business expansion, growth planning and implementation, cost reduction, and profit, change, and project management. Mr. Straub is well-versed in the administration of securities, consumer, and antitrust class action settlements. He earned his Juris Doctor degree from Seton Hall University School of Law in Newark, New Jersey.

Jack Ewashko, Director of Client Services, brings twenty years of industry and brokerage experience to his role with A.B. Data. He is an accomplished client manager adept at facilitating proactive communications between internal and outside parties to ensure accurate and timely deliverables. Mr. Ewashko previously held positions at two claim administration firms where he

oversaw the securities administration teams and actively managed numerous high-profile matters, including the \$2.3 billion foreign exchange litigation. He notably served as Vice President, FX and Futures Operations at Millennium Management, a prominent global alternative investment management firm. As he progressed through trading, analytic, management, and consultancy roles at major banks and brokerage firms, Mr. Ewashko gained hands-on experience with vanilla and exotic securities products, including FX, commodities, mutual funds, derivatives, OTC, futures, options, credit, debt, and equities products. In the financial sector, he also worked closely with compliance and legal teams to ensure accuracy and conformity with all relevant rules and regulations regarding the marketing and sale of products, as well as the execution and processing of trades. He has held Series 4, Series 6, Series 7, and Series 63 licenses, and has been a member of the Futures Industry Association (FIA) and Financial Industry Regulatory Authority (FINRA). Mr. Ewashko earned his Bachelor of Business Administration from Long Island University, Brooklyn, New York.

Brian Devery, Director of Client Services, brings more than a decade of experience in class action administration and project management, as well as over two decades of experience as an attorney (ret.). Mr. Devery currently focuses on consumer, antitrust, employment, and other non-securities based administrations. In addition to driving project administration, he is focused on the implementation of process improvement, streamlining, and automation. Mr. Devery is admitted to practice law in State and Federal Courts of New York with his Juris Doctorate earned from the Maurice A. Deane School of Law at Hofstra University, Hempstead, New York.

Adam Walter, PMP, Director of Client Services, has nearly fifteen years of experience managing the administration of securities class action settlements and SEC disgorgements totaling more than \$4 billion. He has managed settlement programs in engagements involving some of the largest securities class action settlements and is a key contributor to the development of administration strategies that meet the evolving needs of our clients. His responsibilities include developing case administration strategies to ensure that all client and court requirements and objectives are met, overseeing daily operations of case administrations, ensuring execution of client deliverables, providing case-related legal and administration support to class counsel, overseeing notice dissemination programs, implementing complex claims-processing and allocation methodologies, establishing quality assurance and quality control procedures, and managing distribution of settlement funds. Mr. Walter holds a bachelor's degree in business administration from Florida Atlantic University, Boca Raton, Florida. He also has been an active member of the Project Management Institute since 2010 and is PMP®-certified.

Eric Nordskog, Director of Client Services, started with A.B. Data in 2012 on the operations team, managing dozens of team leads and claims administrators in the administration of legal cases and actions. In 2017, Mr. Nordskog was promoted to Project Manager, due in part to his proven ability to add consistency and efficiency to the e-claim filing process with new streamlined processes and audit practices. Today, as Senior Project Manager, he directs many of A.B. Data's securities, insurance, and consumer cases. He regularly oversees the administration of large insurance cases, such as two recent Cigna Insurance matters that involved complex calculations and over one million class members each. He is also the primary hiring and training manager for new project managers and coordinators. Mr. Nordskog earned his Juris Doctor degree from Marquette University Law School, Milwaukee, in 2001.

Eric Schultz, MCSE, Information Technology Manager and Security Team Chairperson, has been with A.B. Data for more than 19 years, and is currently responsible for overseeing all information technology areas for all A.B. Data divisions across the United States and abroad, including network infrastructure and architecture, IT operations, data security, disaster recovery, and all physical, logical, data, and information systems security reviews and audits required by our clients or otherwise. As a Microsoft Certified Systems Engineer (MCSE) with more than 25 years of experience in information

technology systems and solutions, Mr. Schultz has developed specializations in network security, infrastructure, design/architecture, telephony, and high-availability network systems.

Secure Environment



A.B. Data's facilities provide the highest level of security and customization of security procedures, including:

- A Secure Sockets Layer server
- Video monitoring
- Limited physical access to production facilities
- Lockdown mode when checks are printed
- Background checks of key employees completed prior to hire
- Frequency of police patrol – every two hours, with response time of five or fewer minutes
- Disaster recovery plan available upon request

Data Security



A.B. Data is committed to protecting the confidentiality, integrity, and availability of personal identifying information and other information it collects from our clients, investors, and class members and requires that its employees, subcontractors, consultants, service providers, and other persons and entities it retains to assist in distributions do the same. A.B. Data has developed an Information Security Policy, a suite of policies and procedures intended to cover all information security issues and bases for A.B. Data, and all of its divisions, departments, employees, vendors, and clients. A.B. Data has also recently taken the necessary, affirmative steps toward compliance with the EU's General Data Protection Regulation and the California Consumer Privacy Act.

A.B. Data has a number of high-profile clients, including the Securities and Exchange Commission (SEC), the United States Department of Justice, the Attorneys General of nearly all 50 states, other agencies of the United States government, and the Government of Israel, as well as direct banking and payment services companies with some of the most recognized brands in United States financial services and some of the largest credit card issuers in the world.

We are therefore frequently subjected to physical, logical, data, and information systems security reviews and audits. We have been compliant with our clients' security standards and have also been determined to be compliant with ISO/IEC 27001/2 and Payment Card Industry (PCI) data-security standards, the Gramm-Leach-Bliley Act (GLB) of 1999, the National Association of Insurance Commissioners (NAIC) Regulations, the Health Insurance Portability and Accountability Act (HIPAA) of 1996, and the Health Information Technology for Economic and Clinical Health Act (HITECH).

The Government of Israel has determined that A.B. Data is compliant with its rigorous security standards in connection with its work on Project HEART (Holocaust Era Asset Restitution Taskforce).

A.B. Data's fund distribution team has been audited by EisnerAmper LLP and was found compliant with class action industry standards and within 99% accuracy. EisnerAmper LLP is a full-service advisory and accounting firm and is ranked the 15th-largest accounting firm in the United States.

In addition, as part of PCI compliance requirements, A.B. Data has multiple network scans and audits from third-party companies, such as SecurityMetrics and 403 Labs, and is determined to be compliant with each of them.

Fraud Prevention and Detection



A.B. Data is at the forefront of class action fraud prevention.

A.B. Data maintains and utilizes comprehensive proprietary databases and procedures to detect fraud and prevent payment of allegedly fraudulent claims.

We review and analyze various filing patterns across all existing cases and claims. Potential fraudulent filers are reported to our clients as well as to the appropriate governmental agencies where applicable.

Representative Class Action Engagements



A.B. Data and/or its team members have successfully administered hundreds of class actions, including many major cases. Listed below are just some of the most representative or recent engagements.

Consumer & Antitrust Cases

- *In re EpiPen Marketing, Sales Practices and Antitrust Litigation*
- *In re Broiler Chicken Antitrust Litigation - Commercial (Indirect)*
- *In re Broiler Chicken Antitrust Litigation - Indirect*
- *In re Broiler Chicken Antitrust Litigation - Direct*
- *In re Pork Antitrust Litigation - Directs*
- *In re Pork Antitrust Litigation - Indirects*
- *Peter Staley, et al. v. Gilead Sciences, Inc., et al.*
- *In re: Opana ER Antitrust Litigation*
- *In re Ranbaxy Generic Drug Application Antitrust Litigation*
- *In re Valeant Pharmaceuticals Int'l, Inc. Third-Party Payor Litigation*
- *Staley, et al., v. Gilead Sciences*
- *In Re: Generic Pharmaceuticals Pricing Antitrust Litigation - Direct Purchasers*
- *Beef Direct Purchaser Antitrust Litigation*
- *BCBSM, Inc. v. Vyera Pharmaceuticals, et al. (Daraprim)*
- *In re Automobile Antitrust Cases I and II*
- *Olean Wholesale Grocery Cooperative, Inc., et al. v. Agri Stats, Inc., et al. (Turkey)*

- *Integrated Orthopedics, Inc., et al. v. UnitedHealth Group, et al.*
- *In Re: Restasis (Cyclosporine Ophthalmic Emulsion) Antitrust Litigation*
- *Vista Healthplan, Inc., et al. v. Cephalon, Inc., et al. (Provigil)*
- *Jeffrey Koenig, et al. v. Vizio, Inc.*
- *Wit, et al. v. United Behavioral Health*
- *Weiss, et al. v. SunPower Corporation*
- *Smith, et al. v. FirstEnergy Corp., et al.*
- *Resendez, et al. v. Precision Castparts Corp. and PCC Structural, Inc.*
- *Julian, et al. v. TTE Technology, Inc., dba TCL North America*
- *Eugenio and Rosa Contreras v. Nationstar Mortgage LLC*
- *Phil Shin, et al. v. Plantronics, Inc.*
- *In re: Qualcomm Antitrust Litigation*
- *In re Resistors Antitrust Litigation*
- *The Hospital Authority of Metropolitan Government of Nashville and Davidson County, Tennessee v. Momenta Pharmaceuticals, Inc. and Sandoz Inc. ("Lovenox Antitrust Matter")*
- *William Kivett, et al. v. Flagstar Bank, FSB, and DOES 1-100, inclusive*
- *Adelphia, Inc. v. Heritage-Crystal Clean, Inc.*
- *LLE One, LLC, et al. v. Facebook, Inc.*
- *Bach Enterprises, Inc., et al. v. Advanced Disposal Services South, Inc., et al.*
- *JWG Inc., et al. v. Advanced Disposal Services Jacksonville, L.L.C., et al.*
- *State of Washington v. Motel 6 Operating L.P. and G6 Hospitality LLC*
- *In re GSE Bonds Antitrust Litigation*
- *Wave Lengths Hair Salons of Florida, Inc., et al. v. CBL & Associates Properties, Inc., et al.*
- *In re Loestrin 24 FE Antitrust Litigation*
- *Office of the Attorney General, Department of Legal Affairs, State of Florida v. Pultegroup, Inc. and Pulte Home Company, LLC*
- *In re Cigna-American Specialties Health Administration Fee Litigation*
- *In re: Intuniv Antitrust Litigation*
- *High Street, et al. v. Cigna Corporation, et al.*
- *Gordon Fair, et al. v. The Archdiocese of San Francisco, San Mateo, and Marin County*
- *Bizzarro, et al. v. Ocean County Department of Corrections, et al.*
- *Meeker, et al. v. Bullseye Glass Co.*
- *MSPA Claims 1, LLC v. Ocean Harbor Casualty Insurance Company*
- *Tennille v. Western Union Company - Arizona*
- *Garner, et al. v. Atherotech Holdings, Inc. and Garner, et al. v. Behrman Brothers IV, LLC, et al.*
- *Robinson, et al. v. Escallate, LLC*
- *Josefina Valle and Wilfredo Valle, et al. v. Popular Community Bank f/k/a Banco Popular North America*
- *Vision Construction Ent., Inc. v. Waste Pro USA, Inc. and Waste Pro USA, Inc. and Waste Pro of Florida, Inc.*
- *Plumley v. Erickson Retirement Communities, et al.*
- *In re London Silver Fixing, Ltd. Antitrust Litigation*
- *Ploss v. Kraft Foods Group, Inc. and Mondelēz Global LLC*
- *In re Mexican Government Bonds Antitrust Litigation*
- *In re Ready-Mixed Concrete Antitrust Litigation*
- *In re: Marine Hose Antitrust Litigation*
- *Iowa Ready Mixed Concrete Antitrust Litigation*
- *In re Potash Antitrust Litigation (II)*
- *In re Evanston Northwestern Healthcare Corp. Antitrust Litigation*
- *In re Polyurethane Foam Antitrust Litigation*

- *In re LIBOR-Based Financial Instruments Antitrust Litigation*
- *In re Lorazepam and Clorazepate Antitrust Litigation*
- *In re Cardizem CD Antitrust Litigation*
- *Vista Healthplan, Inc., and Ramona Sakiestewa v. Bristol-Myers Squibb Co., and American BioScience, Inc.*
- *In re Lupron Marketing and Sales Practices Litigation*
- *In re Terazosin Hydrochloride Antitrust Litigation*
- *In re Warfarin Sodium Antitrust Litigation*
- *Rosemarie Ryan House, et al. v. GlaxoSmithKline PLC and SmithKline Beecham Corporation*
- *Carpenters and Joiners Welfare Fund, et al. v. SmithKline Beecham*
- *New Mexico United Food and Commercial Workers Union's and Employers' Health and Welfare Trust Fund, et al. v. Purdue Pharma L.P.*
- *In Re Pharmaceutical Industry Average Wholesale Price Litigation*
- *Alma Simonet, et al. v. SmithKline Beecham Corporation, d/b/a GlaxoSmithKline*
- *In re Relafen Antitrust Litigation*
- *In Re Remeron Direct Purchaser Antitrust Litigation*
- *In re TriCor Indirect Purchasers Antitrust Litigation*
- *Nichols, et al., v. SmithKline Beecham Corporation*
- *In re: DDAVP Indirect Purchaser Antitrust Litigation*

Securities Cases

- *Plymouth County Retirement Association v. Spectrum Brands Holdings, Inc., et al.*
- *Tung, et al. v. Dycom Industries, Inc., et al.*
- *Boutchard., et al. v. Gandhi, et al. ("Tower/e-Minis")*
- *MAZ Partners LP v. First Choice Healthcare Solutions, Inc.*
- *SEB Investment Management AB, et al. v. Symantec Corporation, et al.*
- *In re Impinj, Inc. Securities Litigation*
- *In re Netshoes Securities Litigation*
- *Yellowdog Partners, LP, et al. v. Curo Group Holdings Corp., et al.*
- *In re Brightview Holdings, Inc. Securities Litigation*
- *In re Obalon Therapeutics, Inc. Securities Litigation*
- *In re Willis Towers Watson PLC Proxy Litigation*
- *In re Blue Apron Holdings, Inc. Securities Litigation*
- *In re: Qudian Inc. Securities Litigation*
- *Plymouth County Contributory Retirement System v. Adamas Pharmaceuticals, et al.*
- *In re Perrigo Company PLC Securities Litigation*
- *Enriquez, et al. v. Nabriva Therapeutics PLC, et al.*
- *Teamsters Local 456 Pension Fund, et al. v. Universal Health Services, Inc., et al.*
- *Olenik, et al. v. Earthstone Energy, Inc.*
- *Shenk v. Mallinckrodt plc, et al.*
- *In re The Allstate Corp. Securities Litigation*
- *Christopher Vataj v. William D. Johnson, et al. (PG&E Securities II)*
- *Kirkland v. WideOpenWest, Inc.*
- *Oklahoma Police Pension and Retirement System v. Sterling Bancorp, Inc.*
- *In re Uxin Limited Securities Litigation*
- *City of Hallandale Beach Police Officers' & Firefighters' Personnel Retirement Trust v. Ergen, et al. (Echostar)*
- *Lewis v. YRC Worldwide Inc., et al.*
- *Tomaszewski v. Trevena, Inc., et al.*

- *In re Restoration Robotics, Inc. Securities Litigation*
- *Public Employees' Retirement Systems of Mississippi, et al. v. Treehouse Foods, Inc., et al.*
- *Ronald L. Jackson v. Microchip Technology, Inc., et al.*
- *In re Micro Focus International plc Securities Litigation*
- *In re Dynagas LNG Partners LP Securities Litigation*
- *Weiss, et al. v. Burke, et al. (Nutraceutical)*
- *Yaron v. Intersect ENT, Inc., et al.*
- *Utah Retirement Systems v. Healthcare Services Group, Inc., et al.*
- *In re PPDAl Group Inc. Securities Litigation*
- *In re: Evoqua Water Technologies Corp. Securities Litigation*
- *In re Aqua Metals, Inc. Securities Litigation*
- *St. Lucie County Fire District Firefighters' Pension Trust Fund v. Southwestern Energy Company*
- *In re CPI Card Group Inc. Securities Litigation*
- *Arkansas Teacher Retirement System, et al. v. Alon USA Energy, Inc., et al.*
- *In re TAL Education Group Securities Litigation*
- *GCI Liberty Stockholder Litigation*
- *In re SciPlay Corporation Securities Litigation*
- *In re Allergan Generic Drug Pricing Securities Litigation*
- *In re Vivint Solar, Inc. Securities Litigation*
- *In re YayYo Securities Litigation*
- *In re JPMorgan Treasury Futures Spoofing Litigation*
- *Searles, et al. v. Crestview Partners, LP, et al. (Capital Bank)*
- *In re Lyft, Inc. Securities Litigation*
- *In re Aegean Marine Petroleum Network, Inc. Securities Litigation*
- *In re JPMorgan Precious Metals Spoofing Litigation*
- *In re Pivotal Software, Inc. Securities Litigation*
- *Longo, et al. v. OSI Systems, Inc., et al.*
- *In re Homefed Corporation Stockholder Litigation*
- *Pierrelouis v. Gogo Inc., et al.*
- *Pope v. Navient Corporation, et al.*
- *In re Merit Medical Systems, Inc. Securities Litigation*
- *In re Frontier Communications Corporation Stockholder Litigation*
- *Holwill v. AbbVie Inc.*
- *Budicak, Inc., et al. v. Lansing Trade Group, LLC, et al. (SRW Wheat Futures)*
- *Yannes, et al. v. SCWorx Corporation*
- *In re Fannie Mae/Freddie Mac Senior Preferred Stock Purchase Agreement Class Action Litigations*
- *In re Myriad Genetics, Inc. Securities Litigation*
- *In re Chicago Bridge & Iron Co. N.V. Securities Litigation*
- *The Arbitrage Fund, et al. v. William Petty, et al. (Exactech)*
- *In re Columbia Pipeline Group, Inc. Merger Litigation*
- *Martinek v. AmTrust Financial Services, Inc.*
- *City of Pittsburgh Comprehensive Municipal Pension Trust Fund, et al. v. Benefitfocus, Inc., et al.*
- *In re: Evoqua Water Technologies Corp. Securities Litigation*
- *Laydon v. Mizuho Bank, Ltd., et al.*
- *Lomingkit, et al. v. Apollo Education Group, Inc., et al.*
- *In re Caraco Pharmaceutical Laboratories, Ltd. Shareholder Litigation*
- *Norfolk County Retirement System, et al. v. Community Health Systems, Inc., et al.*
- *Chester County Employees' Retirement Fund v. KCG Holdings, Inc., et al.*
- *Oklahoma Law Enforcement Retirement System, et al. v. Adeptus Health Inc., et al.*
- *Di Donato v. Insys Therapeutics, Inc., et al.*

- *Lundgren-Wiedinmyer, et al. v. LJM Partners, Ltd, et al.*
- *Martin, et al. v. Altisource Residential Corporation, et al.*
- *Stephen Appel, et al. v. Apollo Management, et al.*
- *In re Medley Capital Corporation Stockholder Litigation*
- *Forman, et al. v. Meridian BioScience, Inc., et al.*
- *Public Employees' Retirement System of Mississippi, et al. v. Endo International PLC, et al.*
- *In Re Flowers Foods, Inc. Securities Litigation*
- *Jiangchen, et al. v. Rentech, Inc., et al.*
- *In re Liberty Tax, Inc. Stockholder Litigation*
- *In re RH, Inc. Securities Litigation*
- *Lazan v. Quantum Corporation, et al.*
- *Nabhan v. Quantum Corporation, et al.*
- *Edmund Murphy III, et al. v. JBS S.A.*
- *Public Employees' Retirement System of Mississippi, et al. v. Sprouts Farmers Market, Inc., et al.*
- *In re Starz Stockholder Litigation*
- *Judith Godinez, et al. v. Alere Inc., et al.*
- *Rahman and Giovagnoli, et al. v. GlobalSCAPE, Inc., et al.*
- *Arthur Kaye, et al. v. ImmunoCellular Therapeutics, Ltd., et al.*
- *In re CPI Card Group Inc. Securities Litigation*
- *Daniel Aude, et al. v. Kobe Steel, Ltd., et al.*
- *In re Quality Systems, Inc. Securities Litigation*
- *Cooper, et al. v. Thoratec Corporation, et al.*
- *Washtenaw County Employees' Retirement System, et al. v. Walgreen Co., et al.*
- *Elkin v. Walter Investment Management Corp., et al.*
- *In Re CytRx Corporation Securities Litigation*
- *Ranjit Singh, et al. v. 21Vianet Group, Inc., et al.*
- *In re PTC Therapeutics, Inc. Securities Litigation*
- *Securities and Exchange Commission v. Mark A. Jones*
- *In re Sequans Communications S.A. Securities Litigation*
- *In re Henry Schein, Inc. Securities Litigation*
- *Ronge, et al. v. Camping World Holdings, Inc., et al.*
- *Oklahoma Firefighters Pension & Retirement System v. Lexmark International, Inc.*
- *Christakis Vrakas, et al. v. United States Steel Corporation, et al.*
- *Emerson et al. v. Mutual Fund Series Trust, et al. ("Catalyst")*
- *In re Fannie Mae 2008 Securities Litigation*
- *In re Anadarko Petroleum Corporation Class Action Litigation*
- *Ge Dandong, et al., v. Pinnacle Performance Limited, et al.*
- *In Re: Rough Rice Commodity Litigation*
- *Xuechen Yang v. Focus Media Holding Limited et al.*
- *In re Massey Energy Co. Securities Litigation*
- *In re Swisher Hygiene, Inc.*
- *The City of Providence vs. Aeropostale, Inc., et al.*
- *In re Metrologic Instruments, Inc. Shareholders Litigation*
- *Public Pension Fund Group v. KV Pharmaceutical Company et al.*
- *Pension Trust Fund for Operating Engineers, et al. v. Assisted Living Concepts, Inc., et al.*
- *In re Lehman Brothers Equity/Debt Securities Litigation*
- *In re: Platinum and Palladium Commodities Litigation (Platinum/Palladium Physical Action)*
- *In re: Platinum and Palladium Commodities Litigation (Platinum/Palladium Futures Action)*
- *In re General Electric Co. Securities Litigation*
- *In re CNX Gas Corporation Shareholders Litigation*

- *Oscar S. Wyatt, Jr. et al. v. El Paso Corporation, et al.*
- *In re Par Pharmaceutical Securities Litigation*
- *In re Par Pharmaceutical Companies, Inc. Shareholders Litigation*
- *In re Delphi Financial Group Shareholders Litigation*
- *In re SLM Corporation Securities Litigation*
- *In re Del Monte Foods Company Shareholder Litigation*
- *Leslie Niederklein v. PCS Edventures!.com, Inc. and Anthony A. Maher*
- *In re Beckman Coulter, Inc. Securities Litigation*
- *Michael Rubin v. MF Global, Ltd., et al.*
- *Allen Zametkin v. Fidelity Management & Research Company, et al.*
- *In re BP Prudhoe Bay Royalty Trust Securities Litigation*
- *Police and Fire Retirement System of the City of Detroit et al. v. SafeNet, Inc., et al.*
- *In re Limelight Networks, Inc. Securities Litigation*
- *In re Gilead Sciences Securities Litigation*
- *In re ACS Shareholder Litigation, Consolidated C.A. No. 4940-VCP*
- *Lance Provo v. China Organic Agriculture, Inc., et al.*
- *In re LDK Solar Securities Litigation*

Labor & Employment Cases

- *Verizon OFCCP Settlement*
- *Alvarez, et al. v. GEO Secure Services, LLC*
- *Sartena v. Meltwater FLSA*
- *Carmen Alvarez, et al. v. Chipotle Mexican Grill, Inc., et al.*
- *Turner, et al. v. Chipotle Mexican Grill, Inc.*
- *Long, et al. v. Southeastern Pennsylvania Transportation Authority*
- *Matheson, et al. v. TD Bank, N.A.*
- *Ludwig, et al. v. General Dynamics Information Technology, Inc., et al.*
- *Bedel, et al. v. Liberty Mutual Group Inc.*
- *Irene Parry, et al. v. Farmers Insurance Exchange, et al.*
- *Maldonado v. The GEO Group, Inc.*
- *Alderman and Maxey v. ADT, LLC*
- *Albaceet v. Dick's Sporting Goods*
- *Rodriguez v. The Procter & Gamble Company*
- *Adekunle, et al. v. Big Bang Enterprises, Inc. d/b/a The Revenue Optimization Companies*
- *Gorski, et al. v. Wireless Vision, LLC*
- *Lopez, et al. v. New York Community Bank, et al.*
- *Hamilton, et al. v. The Vail Corporation, et al.*
- *Eisenman v. The Ayco Company L.P.*
- *Matheson v. TD Bank, N.A.*
- *Simon v. R.W. Express LLC, d/b/a Go Airlink NYC*
- *Perez v. Mexican Hospitality Operator LLC, d/b/a Cosme*
- *Shanahan v. KeyBank, N.A.*
- *Loftin v. SunTrust Bank*
- *Alvarez v. GEO Secure Services, LLC*
- *Weisgarber v. North American Dental Group, LLC*
- *Talisa Borders, et al. v. Wal-mart Stores, Inc.*
- *Reale v. McClain Sonics Inc., et al.*
- *Larita Finisterre and Songhai Woodard, et al. v. Global Contact Services, LLC*
- *Adebisi Bello v. The Parc at Joliet*

- *Garcia, et al. v. Vertical Screen, Inc.*
- *Brook Lemma and Matthieu Hubert, et al. v. 103W77 Partners LLC, et al.* ("Dovetail Settlement")
- *American Federation of Government Employees, Local 1145 v. Federal Bureau of Prisons, U.S. Penitentiary, Atlanta, Georgia*
- *Lisa Ferguson, Octavia Brown, et al. v. Matthew G. Whitaker, Acting AG, DOJ Bureau of Prisons* ("USP Victorville")
- *American Federation of Government Employees, Local 2001 v. Federal Bureau of Prisons, Federal Correctional Institution, Fort Dix, New Jersey*
- *American Federation of Government Employees, Local 506 v. U.S. Department of Justice, Federal Bureau of Prisons, U.S. Penitentiary Coleman II, Coleman, Florida*
- *Vargas v. Sterling Engineering*
- *Rosenbohm v. Verizon*
- *Alex Morgan, et al. v. United States Soccer Federation, Inc.*
- *Iskander Rasulev v. Good Care Agency, Inc.*
- *Kyndl Buzas, et al., v. Phillips 66 Company and DOES 1 through 10*
- *American Federation of Government Employees, Local 408 v. U.S. Dept. of Justice, Federal Bureau of Prisons, Federal Correctional Complex, Butner, NC*
- *In re 2014 Avon Products, Inc. ERISA Litigation*
- *In re Eastman Kodak ERISA Litigation*
- *Taronica White, et al. v. Attorney General Loretta Lynch, Department of Justice*
- *Lisa Ferguson, et al. v. Acting Attorney General Matthew Whitaker, Department of Justice*
- *Melissa Compere v. Nusret Miami, LLC, et al.*
- *Abelar v. American Residential Services, L.L.C., Central District of California*
- *Flores, et al. v. Eagle Diner Corp., et al., Eastern District of Pennsylvania*
- *Michael Furman v. Godiva Chocolatier, Inc., 15th Judicial Circuit, Palm Beach County, Florida*
- *Finisterre et. al v. Global Contact Services, LLC, New York State Supreme Court, Kings County*
- *McGuire v. Intelident Solutions, LLC, et al., Middle District of Florida, Tampa Division*
- *Duran De Rodriguez, et al. v. Five Star Home Health Care Agency, Inc. et al., Eastern District of New York*

Data Breach/BIPA Cases

- *Hunter v. J.S.T. Corp. BIPA Settlement*
- *Atkinson, et al. v. Minted, Inc.*
- *Rosenbach, et al. v. Six Flags Entertainment Corporation and Great America LLC*
- *Pratz, et al. v. MOD Super Fast Pizza, LLC*
- *The State of Indiana v. Equifax Data Breach Settlement*
- *In re: Vizio, Inc. Consumer Privacy Litigation*
- *In re: Google, Inc. Street View Electronic Communications Litigation*
- *Devin Briggs and Bobby Watson, et al. v. Rhinoag, Inc.* ("Briggs Biometric Settlement")
- *Trost v. Pretium Packaging L.L.C.*
- *In re: Barr, et al. v. Drizly, LLC f/k/a Drizly, Inc., et al.*

Telephone Consumer Protection Act (TCPA) Cases

- *Perrong, et al. v. Orbit Energy & Power, LLC*
- *Baldwin, et al. v. Miracle-Ear, Inc.*
- *Floyd and Fabricant, et al. v. First Data Merchant Services LLC, et al.*
- *Hoffman, et al. v. Hearing Help Express, Inc., et al.*
- *Lowe and Kaiser, et al. v. CVS Pharmacy, Inc., et al.*
- *Johansen v. HomeAdvisor, Inc., et al.*

- *Charvat, et al. v. National Holdings Corporation*
- *Hopkins, et al. v. Modernize, Inc.*
- *Diana Mey vs. Frontier Communications Corporation*
- *Matthew Donaca v. Dish Network, L.L.C.*
- *Matthew Benzion and Theodore Glaser v. Vivint, Inc.*
- *John Lofton v. Verizon Wireless (VAW) LLC, et al.*
- *Lori Shamblin v. Obama for America, et al.*
- *Ellman v. Security Networks*

For More Information

For more detailed information regarding A.B. Data's experience, services, or personnel, please see our website at www.abdataclassaction.com.

EXHIBIT B

Did You Purchase, Pay for, or Provide Reimbursement for Tracleer or Bosentan?

You Could Get Money from a Settlement

A federal court authorized this Notice. You are not being sued.

- There is a Settlement in a class action lawsuit with Defendants Actelion Pharmaceuticals Ltd., Actelion Pharmaceuticals US, Inc., and Janssen Research & Development, LLC (collectively, “Defendants”). The lawsuit claims Defendants unlawfully delayed the entry of generic formulations of bosentan into the market, so third-party payors paid more for brand Tracleer and bosentan than they should have. Defendants deny that they did anything wrong. There has been no determination by the Court or a jury that the allegations against Defendants have been proven or that, if proven, Defendants’ conduct caused harm to the Class. This Notice is not an expression of any opinion by the Court as to the claims against Defendants or their defenses.
- You may have seen a previous notice about the Court certifying the Class in this case. This notice is about a Settlement with Defendants.
- Generally, you are included in the Settlement if you are an entity that purchased, paid and/or provided reimbursement for some or all of the purchase price of Tracleer or bosentan, other than for resale, for consumption by your members, employees, insureds, participants or beneficiaries, in certain states and territories from December 29, 2015, through September 6, 2024. The included states and territories are: Arizona, California, Florida, Illinois, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Virginia, West Virginia, Wisconsin, the District of Columbia, and Puerto Rico. You may be able to get money from this Settlement.
- To settle all claims in the lawsuit brought on behalf of the Class, a \$65,000,000.00 Settlement Fund will pay (1) money to eligible Class Members, (2) notice and administration costs, (3) attorneys’ fees and expenses, and (4) a service award to the class representative.
- **Your legal rights are affected even if you do nothing. Please read this Notice carefully.**

YOUR LEGAL RIGHTS IN THIS LAWSUIT

SUBMIT A CLAIM	If you are a member of the Class, you can submit a claim to get a payment from the Settlement.
OBJECT	Write to the Court if you don’t like the Settlement.
GO TO A HEARING	Ask to speak in Court about the fairness of the Settlement.
DO NOTHING	Get no payment.

QUESTIONS? CALL 1-877-354-3839 OR VISIT WWW.TRACLEERLITIGATION.COM

- These rights and options—and the deadlines to exercise them—are explained in this notice.
- The Court in charge of this case still must decide whether to approve the Settlement. Payments will be made to those who qualify only after the Court approves the Settlement and any appeals are resolved. Please be patient.

WHAT THIS NOTICE CONTAINS

BASIC INFORMATION.....	4
1. Why did I receive this Notice?	4
2. What is the Lawsuit about?	4
3. Why is this Lawsuit a class action?.....	4
4. Why is there a Settlement?	5
WHO IS IN THE SETTLEMENT?	5
5. Who is included in the Settlement?.....	5
6. Who is not included?.....	5
7. What if I am still not sure if I am included?	5
8. Can I still ask to exclude myself?	5
9. If I didn't exclude myself, can I sue Defendant for the same thing later?	6
THE SETTLEMENT BENEFITS.....	6
10. What does the Settlement provide?.....	6
11. How much will my payment be?.....	6
12. What happens if there are funds remaining after distribution?	6
13. When will I get my payment?.....	6
HOW TO GET A PAYMENT	7
14. How can I get a payment?.....	7
THE LAWYERS REPRESENTING YOU.....	7
15. Do I have a lawyer in this case?.....	7
16. How will the lawyers be paid?.....	7
OBJECTING TO THE SETTLEMENT	8
17. How can I tell the Court if I do not like the Settlement?.....	8
18. If I object to the Settlement, can I still file a claim for my portion of the Settlement Fund?	8
19. What is the difference between objecting and asking to be excluded?	8
THE FAIRNESS HEARING.....	9
20. When and where will the Court decide whether to approve the Settlement?.....	9

QUESTIONS? CALL 1-877-354-3839 OR VISIT WWW.TRACLEERLITIGATION.COM

21. Do I have to come to the hearing? 9

22. May I speak at the hearing?..... 9

IF YOU DO NOTHING 9

23. What happens if I do nothing?..... 9

GETTING MORE INFORMATION..... 10

24. How do I get more information? 10

Basic Information

1. Why did I receive this Notice?

A federal court authorized this Notice because you have a right to know about a proposed Settlement, your rights, and your options before the Court decides whether to approve the Settlement. This Notice explains the lawsuit, the Settlement, and your legal rights. Your legal rights are affected whether you act or not.

Chief Judge George L. Russell, III, of the United States District Court for the District of Maryland is overseeing this class action. The lawsuit is known as *Government Employees Health Association v. Actelion Pharmaceuticals Ltd.*, GLR-18-3560. Government Employees Health Association, who sued on behalf of itself and the Class, is called the “Plaintiff.” Actelion Pharmaceuticals Ltd., Actelion Pharmaceuticals US, Inc., and Janssen Research & Development, LLC are the “Defendants.”

You may confirm that you are a member of the Class who is included in the Settlement by reviewing the criteria set forth in Question 5 below. You may also contact the Claims Administrator or lawyers in this case using the telephone numbers or addresses listed in Questions 15 and 24 below.

2. What is the Lawsuit about?

The Plaintiff that brought this lawsuit alleges that Defendants violated certain federal and state antitrust laws and state consumer protection laws by taking several actions to keep generic bosentan (i.e., generic versions of Tracleer) off the market for a period of time. The Plaintiff alleges this harmed competition and caused Class Members to overpay for brand Tracleer and bosentan.

The lawsuit alleges that Defendants violated federal antitrust laws by unlawfully impairing and delaying the introduction of generic versions of the prescription drug Tracleer into the United States market. The Plaintiff alleges that beginning around 2009, Defendants refused to sell samples of Tracleer to various generic manufacturers that were requesting to purchase samples in order to conduct bioequivalence testing, which is a prerequisite to United States Food and Drug Administration (“FDA”) approval of the generic version of a brand drug. The Plaintiff alleges that without access to samples of Tracleer, generic manufacturers were unable to conduct the testing necessary to file an application to market a generic version of Tracleer with FDA. Absent Defendants’ conduct, the Plaintiff claims, one or more generic companies would have launched generic Tracleer earlier than June 2019, which is when the first generic version of Tracleer became available. The Plaintiff alleges that the prices for Tracleer and generic Tracleer were higher than they would have been absent Defendants’ alleged unlawful conduct.

Defendants deny these allegations and that they did anything wrong.

QUESTIONS? CALL 1-877-354-3839 OR VISIT WWW.TRACLEERLITIGATION.COM

There has been no determination by the Court or a jury that the allegations against Defendants have been proven or that, if proven, Defendants' conduct caused harm to the Class. This Notice is not an expression of any opinion by the Court as to the claims against Defendants or their defenses.

This lawsuit is not about the safety or efficacy of Tracleer or bosentan, and the case does not involve any claims about the safety or efficacy of Tracleer or bosentan.

This Notice is only a summary. More detail is provided in the Settlement Agreement, available at www.TracleerLitigation.com.

3. Why is this Lawsuit a class action?

In a class-action lawsuit, one or more persons or entities called "class representatives" (here, Government Employees Health Association) sues on behalf of all others who have similar claims. Together, all these persons or entities make up the "Class" and are called "Class Members."

In a class-action lawsuit, one court and one case resolve the issues for all Class Members, except for those Class Members who exclude themselves (*i.e.*, "opt out") from the Class.

4. Why is there a Settlement?

On September 6, 2024, the Court certified a litigation Class and appointed the named plaintiff Government Employees Health Association to represent the Class.

Now, Plaintiff and Defendants have agreed to settle Plaintiff's claims against Defendants. The Court has not decided in favor of the Plaintiff or Defendants. By agreeing to the Settlement, Plaintiff and Defendants avoid the costs and uncertainty of a trial, and Class Members receive the benefits described in this Notice. The proposed Settlement does not mean that any law was broken or that Defendants did anything wrong. Plaintiff believes the Settlement is best for all Class Members.

Who Is in the Settlement?

5. Who is included in the Settlement?

You are included in the Settlement if you are a member of the certified Class, defined as:

All entities that, for consumption by their members, employees, insureds, participants or beneficiaries, purchased, paid and/or provided reimbursement for some or all of the purchase price of Tracleer or bosentan, other than for resale, in Arizona, California, Florida, Illinois, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Virginia, West Virginia, Wisconsin, the District of Columbia, or Puerto Rico, at any time during the period from December 29, 2015, through and until September 6, 2024.

6. Who is not included?

The Class does not include:

- Defendants and their subsidiaries and affiliates, and
- Federal and state governmental entities.

QUESTIONS? CALL 1-877-354-3839 OR VISIT WWW.TRACLEERLITIGATION.COM

7. What if I am still not sure if I am included?

If you are not sure whether you are included, or have any other questions about the Settlement, you may contact the Claims Administrator at the telephone number, email address, or address listed in Question 24 below.

8. Can I still ask to exclude myself?

No. The deadline to exclude yourself from the certified Class has passed. You cannot ask to be excluded now.

9. If I didn't exclude myself, can I sue Defendant for the same thing later?

No. Unless you excluded yourself by December 23, 2024, you gave up the right to sue Defendants for the claims in this lawsuit. All of the Court's decisions bind you. The Settlement Agreement describes the specific claims you will give up (or "release"), so read it carefully. The Settlement Agreement is available at www.TracleerLitigation.com. If you have any questions, you can talk to the lawyers listed in Question 15 for free, or you can talk to your own lawyer if you have questions about what this means.

The Settlement Benefits

10. What does the Settlement provide?

If the Settlement is approved and becomes final, it will provide money from a \$65,000,000.00 Settlement Fund to Class Members. If the Settlement is approved by the Court, the Settlement Fund will be used to pay:

- Money to eligible Class Members;
- Attorneys' fees of up to 33 1/3% of the Settlement Fund, plus interest, and expenses up to \$4,500,000;
- Notice and administration costs; and
- A service award up to \$40,000 for the class representative.

The Settlement Agreement and Plan of Allocation, available at www.TracleerLitigation.com, have more information.

11. How much will my payment be?

At this time, it is unknown how much each Class Member that files a valid claim will receive. Your payment amount will depend on the amount of Tracleer or bosentan you purchased, how much you paid for Tracleer and bosentan claims, and the number of valid Tracleer and bosentan claims. After the notice and administration costs, and any Court-approved attorneys' fees and expenses and service award are paid from the Settlement Fund, the remaining amount will be used to pay eligible Class Members. This remaining amount will be paid proportionally (or *pro rata*) to eligible Class Members.

Payments will be based on a Plan of Allocation approved by the Court. The proposed Plan of Allocation will be available for review at www.TracleerLitigation.com.

To get a payment, you must submit a valid Claim Form (*see* Question 14).

QUESTIONS? CALL 1-877-354-3839 OR VISIT WWW.TRACLEERLITIGATION.COM

12. What happens if there are funds remaining after distribution?

If there are any funds remaining after all claims are processed, those funds will be redistributed to eligible members of the Class or distributed to a non-profit organization, as approved by the Court. No remaining funds will be returned to Defendants.

13. When will I get my payment?

Eligible Class Members will receive their payments after the Court grants final approval to the Settlement and any appeals are resolved. If there are appeals, resolving them can take time. Please be patient.

How to Get A Payment

14. How can I get a payment?

If you are in the certified Class and want to ask for a payment, you must complete and submit a valid Claim Form online at www.TracleerLitigation.com or by mail postmarked no later than [Month 00, 2026]. Claims submitted by mail should be sent to:

Tracleer Litigation
c/o A.B. Data, Ltd.
P.O. Box 173072
Milwaukee, WI 53217

You can get a Claim Form at www.TracleerLitigation.com or by calling 1-877-354-3839.

The Lawyers Representing You

15. Do I have a lawyer in this case?

Yes. The Court has appointed the law firms listed below to represent you and the other Class Members. These lawyers are called “Class Counsel.” Class Counsel are experienced in handling similar cases against other companies. Class Counsel include:

Sharon K. Robertson Cohen Milstein Sellers & Toll PLLC 88 Pine Street, 14 th Floor New York, NY 10005 Telephone: (212) 838-7797	Thomas M. Sobol HAGENS BERMAN SOBOL SHAPIRO LLP One Faneuil Hall Square, 5 th Floor Boston, MA 02109 Telephone: (617) 482-3700
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You will not be personally charged for the services of these lawyers in litigating this case. If you want to be represented by another lawyer, you can hire one at your own expense.

16. How will the lawyers be paid?

Class Counsel have not been paid anything to date for their work on this case. Class Counsel will ask the Court for attorneys’ fees up to 33 1/3% of the Settlement Fund plus interest and expenses up to \$4,500,000. Class Counsel will also ask the Court for a service award up to \$40,000 for the class

QUESTIONS? CALL 1-877-354-3839 OR VISIT WWW.TRACLEERLITIGATION.COM

representative for its work on behalf of the Class. Any attorneys' fees and expenses and service award approved by the Court will be paid out of the Settlement Fund.

When Class Counsel's motion for fees, expenses, and class representative service award is filed, it will be available at www.TracleerLitigation.com.

Objecting to the Settlement

17. How can I tell the Court if I do not like the Settlement?

If you are a Class Member, you have a right to object to or comment on any part of the proposed Settlement. The Court will consider your views when deciding if it will approve the Settlement. You can't ask the Court to order a different Settlement; the Court can only approve or reject the Settlement. If the Court does not approve the Settlement, no Settlement payments will be made, and the lawsuit will continue. If that is what you want to happen, you may object.

To object, you must send a letter to the Court saying that you object to *Government Employees Health Association v. Actelion Pharmaceuticals Ltd.*, GLR-18-3560.

Be sure to include:

- Your name, address, telephone number, and email address (if applicable);
- Your lawyer's name, address, telephone number, and email address (if you have one);
- Proof that you are a Class Member;
- A statement saying if your objection applies only to you, a subset of the Class, or the Class as a whole;
- The legal and factual basis for your objection;
- A list of any witnesses, exhibits, or legal authority you intend to offer;
- A statement saying whether you intend to appear in person at the fairness hearing or through your lawyer;
- A list of all class actions in which you and/or your lawyer has previously objected;
- Your lawyer's signature (if you have one); and
- Your signature.

You must mail your objection to the following address, postmarked no later than [MONTH 00, 2026]:

Court
Clerk of the Court United States District Court for the District of Maryland 101 West Lombard Street Baltimore, MD 21201

18. If I object to the Settlement, can I still file a claim for my portion of the Settlement Fund?

Yes. You may file a claim for your portion of the Settlement Fund even if you object to, or comment on, the Settlement.

QUESTIONS? CALL 1-877-354-3839 OR VISIT WWW.TRACLEERLITIGATION.COM

19. What is the difference between objecting and asking to be excluded?

Objecting is simply telling the Court that you do not like something about the Settlement. If you object to the Settlement, you are still a Class Member, and you can submit a Claim Form if you are in the Class.

Excluding yourself is telling the Court that you do not want to be a part of the lawsuit. The deadline to exclude yourself has passed.

The Fairness Hearing

The Court will hold a hearing (called a Fairness Hearing) to decide whether to approve the Settlement. You may attend and ask to speak, but you don't have to.

20. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Fairness Hearing on [Month 00, 2026] at [0:00 x.m.] at the United States District Court for the District of Maryland, 101 West Lombard Street, Courtroom XX, Baltimore, MD 21201. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check www.TracleerLitigation.com for updates.

At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them and may listen to people who have asked to speak at the hearing. The Court may also decide whether to award attorneys' fees and expenses and a service award to the class representative. After the hearing, the Court will decide whether to approve the Settlement. We do not know when the Court will make these decisions.

21. Do I have to come to the hearing?

No. Class Counsel will answer questions the Court may have at the Final Approval Hearing. But you are welcome to come at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

22. May I speak at the hearing?

Yes. You may ask the Court for permission to speak at the Final Approval Hearing. To do so, you (or your attorney) must send a letter providing your "Notice of Intention to Appear in *Government Employees Health Association v. Actelion Pharmaceuticals Ltd.*, GLR-18-3560." Be sure to include your full name, address, telephone number, and email address; your lawyer's name, address, telephone number, and email address; proof that you are a Class Member; a statement saying if your comments apply only to you, a subset of the Class, or the Class as a whole; the legal and factual basis for your comments; a list of any witnesses, exhibits, or legal authority you intend to offer; a statement saying whether you intend to appear yourself or through your lawyer; a list of all class actions in which you and/or your lawyer have previously objected or presented comments at settlement approval hearings. You and your attorney (if you have one) must sign the Notice of Intention to Appear. Your Notice of Intention to Appear must be postmarked no later than [Month 00, 2026] and must be sent to the Court's address listed in Question 17.

QUESTIONS? CALL 1-877-354-3839 OR VISIT WWW.TRACLEERLITIGATION.COM

If You Do Nothing

23. What happens if I do nothing?

If you do nothing, you are still bound by the Court's decisions and the terms of this Settlement. You will not get any money from the Settlement. If you are a member of the Class and want to ask for a payment, you must complete and submit a Claim Form by [Month 00, 2026] (see Question 14).

Getting More Information

24. How do I get more information?

This notice is only a summary. More details are in the Settlement Agreement, available at www.TracleerLitigation.com. You also may contact the Claims Administrator, by mail at Tracleer Litigation, c/o A.B. Data, Ltd., P.O. Box 173072, Milwaukee, Wisconsin 53217, email at info@TracleerLitigation.com, or phone at 1-877-354-3839.

Complete copies of all public pleadings, Court rulings, and other filings are available for review by accessing the Court docket for this case, for a fee, through the Court's Case Management/Electronic Case Files (CM/ECF) system.

PLEASE DO NOT CONTACT THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS CASE.

DATED: [date]

BY ORDER OF THE COURT
UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MARYLAND, George L. Russell, III

QUESTIONS? CALL 1-877-354-3839 OR VISIT WWW.TRACLEERLITIGATION.COM

EXHIBIT C

Did You Purchase, Pay for, or Provide Reimbursement for Tracleer or Bosentan?

You Could Get Money from a Settlement

A federal court authorized this Notice. You are not being sued.

There is a Settlement in a class action lawsuit with Defendants Actelion Pharmaceuticals Ltd., Actelion Pharmaceuticals US, Inc., and Janssen Research & Development, LLC (collectively, “Defendants”). The lawsuit claims Defendants unlawfully kept generic Tracleer, known as bosentan, off the market for a period of time, so third-party payors paid more for brand Tracleer and bosentan than they should have. Defendants deny that they did anything wrong. There has been no determination by the Court or a jury that the allegations against Defendants have been proven or that, if proven, Defendants’ conduct caused harm to the Class. This Notice is not an expression of any opinion by the Court as to the claims against Defendants or their defenses.

You may have seen a previous notice about the Court certifying the Class in this case. This notice is about a Settlement with Defendants.

Who is included in the Settlement?

Generally, you are included in the Settlement as a member of the Class if you are an entity that for consumption by your members, employees, insureds, participants or beneficiaries, purchased, paid and/or provided reimbursement for some or all of the purchase price of Tracleer or bosentan, other than for resale, in Arizona, California, District of Columbia, Florida, Illinois, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Puerto Rico, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Virginia, West Virginia, or Wisconsin, at any time during the period from December 29, 2015, through and until September 6, 2024.

Excluded from the Class are: (1) Defendants and their subsidiaries and affiliates; and (2) federal and state governmental entities.

What does the Settlement provide?

To settle all claims in the lawsuit brought on behalf of the Class, a \$65,000,000.00 Settlement Fund will pay money to eligible Class Members, notice and administration costs, attorneys’ fees and expenses, and a service award to the class representative.

How can I get a payment?

You must submit a claim form online or by mail by **[Month 00, 2026]**. If your claim is valid, you will get money from the Settlement. Your payment amount will depend on the amount of Tracleer or bosentan you purchased, how much you paid for Tracleer or bosentan claims, and the number of valid Tracleer or bosentan claims.

What are my rights and options?

If you did not exclude yourself by December 23, 2024, you are bound by the Court’s decisions and the terms of this Settlement. You may object to the Settlement by **[Month 00, 2026]**. Detailed instructions about how to object are available on the website, www.TracleerLitigation.com.

The Court will hold a Fairness Hearing on [Month 00, 2026], to consider if it will approve the Settlement and a request for attorneys' fees up to 33 and 1/3% of the Settlement Fund, expenses up to \$4,500,000, and a service award up to \$40,000 for the class representative. You or your own lawyer may appear and speak at the hearing at your own expense. The Court may change these deadlines or the hearing date and time. Check the website below for updates. Please do not call the Court for information about the Settlement.

Want more information?

Visit www.TracleerLitigation.com

Call: 1-877-354-3839

EXHIBIT D

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

GOVERNMENT EMPLOYEES HEALTH
ASSOCIATION, on behalf of itself and all
others similarly situated,

Plaintiff,

v.

ACTELION PHARMACEUTICALS Ltd., *et*
al.,

Defendants.

Civil Action No. GLR-18-3560

THIRD-PARTY PAYOR CLAIM FORM INSTRUCTIONS

If you are a Class Member who is a third-party payor (“TPP”) and would like to qualify to receive a payment from the Settlement with Actelion Pharmaceuticals Ltd., Actelion Pharmaceuticals US, Inc., and Janssen Research & Development, LLC (collectively, “Defendants”), you must complete and submit this Claim Form.

Only a TPP Class Member, or an authorized agent for a TPP Class Member, can complete this Claim Form. If both a TPP Class Member and its authorized agent submit a Claim Form, the Claims Administrator will consider only the TPP Class Member’s Claim Form. The Claims Administrator may ask for supporting documents in addition to the documents and information requested below. The Claims Administrator may reject a claim if the TPP Class Member or its authorized agent does not provide all requested documents in a timely manner.

If you are a TPP Class Member submitting a Claim Form on your own behalf, complete “Section A – COMPANY OR HEALTH PLAN THIRD-PARTY PAYOR CLASS MEMBER ONLY,” in addition to the other information in this Claim Form.

If you are an authorized agent of one or more TPP Class Members, you must provide the information requested in “Section B – AUTHORIZED AGENT ONLY,” in addition to the other information in this Claim Form. **Do not submit a Claim Form on behalf of any other TPP Class Member unless that TPP Class Member provided you with prior written authorization to submit a Claim Form on its behalf. You will be required to send the Claims Administrator such written authority if you file a claim on behalf of a TPP Class Member.**

If you are submitting a Claim Form as only an authorized agent of one or more TPP Class Members, you may submit a separate Claim Form for each TPP Class Member OR you may submit one Claim Form for all such TPP Class Members, so long as you provide the required information for each TPP Class Member on whose behalf you are submitting this Claim Form.

If you are submitting Claim Forms on both your own behalf as a TPP Class Member AND as an authorized agent on behalf of one or more TPP Class Members, you should submit one Claim Form for yourself, completing Section A, and another Claim Form or Claim Forms as an authorized agent for the other TPP Class Member(s), completing Section B.

You can submit your Claim Form by mail or electronically on the Settlement website (www.TracleerLitigation.com). You need to provide supporting documents, as described below.

If your completed Claim Form is not postmarked (if mailed) or received (if submitted online) by [Month 00, 2026], you will not receive a payment from this Settlement. Submitting a Claim Form does not guarantee you will get a payment from the Settlement. If the Claims Administrator rejects or reduces your Claim, you may follow the dispute resolution process described on pages 5-6.

CLAIM INFORMATION AND DOCUMENTATION REQUIREMENTS

Please provide information to show you (or the entity you represent) is a Class Member.

The certified Class is defined as:

All entities that, for consumption by their members, employees, insureds, participants or beneficiaries, purchased, paid and/or provided reimbursement for some or all of the purchase price of Tracleer or bosentan, other than for resale, in Arizona, California, Florida, Illinois, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Virginia, West Virginia, Wisconsin, the District of Columbia, or Puerto Rico, at any time during the period from December 29, 2015, through and until September 6, 2024.

The Class **does not** include:

- a) Defendants and their subsidiaries and affiliates, and
- b) Federal and state governmental entities.

Please provide the necessary information to support your claim as a TPP Class Member, including:

- a) Name of TPP Class Member;
- b) NDC Number (the Settlement website provides a list of the NDCs the Claims Administrator will accept) – *e.g.*, 00000-0000-00; and Drug Name – *e.g.*, TRACLEER®;
- c) Fill Date or Date of Purchase – *e.g.*, 06/01/2017;
- d) Location (State) of Purchase – *e.g.*, CA;
- e) Location (State) of insured or beneficiary; and
- f) Amount Paid by TPP net of co-pays, deductibles, and co-insurance – *e.g.*, \$20.00.

If you are submitting a Claim Form on behalf of multiple TPP Class Members, also provide the following information for each purchase or reimbursement:

- g) Plan or Group Name; and
- h) Plan or Group FEIN – provide group number for each transaction.

An exemplar spreadsheet containing all categories of information to submit and a list of applicable NDC Numbers can be downloaded from the Settlement website, www.TracleerLitigation.com. Please use this format and provide the electronic data in Microsoft Excel, ASCII flat file pipe “|”, tab-delimited, or fixed-width format.

Data and/or information demonstrating class membership is mandatory. Transaction data is mandatory for all claims. If, after an audit of your claim, the Claims Administrator still has questions about your claim and you have not provided sufficient data and/or documentation, the Claims Administrator may reject your claim.

Please contact the Claims Administrator at 1-877-354-3839 with any questions about the required claim information and documentation. Please do not contact the Court about these issues.

**MUST BE POSTMARKED ON
OR BEFORE,
OR SUBMITTED
ONLINE BY [Month 00, 2026]**

*Gov't Employees Health Association
v. Actelion Pharms Ltd. et al., No.
18-cv-3560 (D. Md.) Settlement*

THIRD-PARTY PAYOR CLAIM FORM

Use Blue or Black Ink Only

Attention: You should only fill out this Claim Form if you are a Third-Party Payor (or its authorized agent).

- Complete Section A only if you are filing as an individual TPP Class Member.
- Complete Section B only if you are an authorized agent filing on behalf of one or more TPP Class Members.

Section A: Company or Health Plan Class Member Only

Company or Health Plan Name

Contact Name

Address 1

Address 2

Floor/Suite

City

State

Zip Code

Area Code - Telephone Number

Tax Identification Number

Email Address

List other names by which your company or health plan has been known or other Federal Employer Identification Numbers ("FEINs") it has used since December 29, 2015.

- Health Insurance Company/HMO Self-Insured Employee Health or Pharmacy Benefit Plan
- Self-Insured Health & Welfare Fund
- Other (Explain):

Section B: Authorized Agent Only

As an authorized agent, please check the box that best describes your relationship with the TPP Class Member. (You must provide documents demonstrating this relationship.)

Third-Party Administrator or Administrative Services Only Provider

Pharmacy Benefits Manager

Other (Explain):

Authorized Agent's Company Name

Contact Name

Address

Floor/Suite

City

State

Zip Code

Area Code - Telephone Number

Authorized Agent's Tax Identification Number

Email Address

Please list the name and FEIN of every TPP Class Member (*i.e.*, company or health plan) for which you were authorized to submit this Claim Form. (Attach additional sheets to this Claim Form as needed.) Alternatively, you may submit the requested list of TPP Class Member names and FEINs in an electronic format, such as Excel or a tab-delimited text file. Please contact the Claims Administrator to determine which formats are acceptable.

TPP CLASS MEMBER'S NAME

TPP CLASS MEMBER'S FEIN

Section C: Purchase Information

Please type or print in the box below, the total amount, from December 29, 2015, through September 6, 2024, that you paid or reimbursed for Tracleer and/or bosentan, for consumption by your members, employees, insureds, participants or beneficiaries, where the person(s) purchased these drug(s) not for resale, in Arizona, California, Florida, Illinois, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Virginia, West Virginia, Wisconsin, the District of Columbia, or Puerto Rico.

The state (or territory) of purchase is where the pharmacy is physically located if the purchase was made in-person. If any purchases were made by mail order, the state or territory to which the prescription was sent is considered the place of purchase. For example, if Tracleer or bosentan was purchased by mail order and the prescription was sent to California, California would be considered the place of purchase for that transaction and the purchase would be eligible for a recovery. On the other hand, if Tracleer or bosentan was purchased by mail order and the prescription was sent to Alaska, that transaction would not be eligible for a recovery because the place of purchase would be considered Alaska, which is not one of the states or territories covered by the Settlement.

If you are an authorized agent completing this Claim on behalf of more than one TPP Class Member, enter the total amount paid by all the TPP Class Members included in this Claim. You must also provide the required information for each TPP Class Member on whose behalf you are submitting this Claim Form, including proof of authorization to file a claim on behalf of each such TPP Class Member. An exemplar spreadsheet containing the required categories can be downloaded from the Settlement website, www.TracleerLitigation.com.

Total amount (net of co-pays, deductibles, and co-insurance) you paid or reimbursed for Tracleer and/or bosentan , from December 29, 2015, through September 6, 2024 , for consumption by your members, employees, insureds, participants or beneficiaries:	\$
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Check this box and sign the claim form in *Section E* to confirm that the claimant(s) indicated in Section A and/or Section B are TPP Class Members and they are not excluded (based on the criteria above). If any claimants are excluded from the Settlement, the Claims Administrator may reject this Claim.

Section D: Proof of Payment and Disputes Regarding Claim Amounts

Please provide as much of the information requested above in the “CLAIM INFORMATION AND DOCUMENTATION REQUIREMENTS” section in the instructions as possible.

Transaction data supporting claims is **mandatory** for claims. If, after an audit of your claim, the Claims Administrator still has questions about your claim and you did not provide sufficient data and/or documents, the Claims Administrator may reject your claim.

If the Claims Administrator rejects or reduces your claim and you believe the rejection or reduction is in error, you may contact the Claims Administrator to ask for further review. If the dispute concerning your claim cannot be resolved by the Claims Administrator and Co-Lead Counsel, you may ask the Court to review your claim.

To request Court review, you must send the Claims Administrator a signed written statement that states: (a) the

Case 1:18-cv-00560-BLF Document 421-3 Filed 03/04/26 Page 46 of 49
reasons you disagree with your claim being rejected or your claim's payment determination and (b) specifically that you "request that the Court review the determination regarding this claim." You must include all documents that support your argument(s). The Claims Administrator and Co-Lead Counsel will present the dispute to the Court for review, which may include publicly filing your claim and any supporting documents with the Court. Please note, you should only ask for Court review if you disagree with the Claims Administrator's determination regarding your claim.

Section E: Certification

By signing below, I hereby swear and affirm that I have read and am familiar with the Claim Form instructions. I certify the information I provided in this Claim Form and any documents I attached are true, correct, and complete to the best of my knowledge.

I certify I provided all the information requested above to the extent I have it.

I further certify that I, or the TPP Class Member(s) I represent:

- a) purchased, paid and/or provided reimbursement for some or all of the purchase price of Tracleer or bosentan, for consumption by my/their members, employees, insureds, participants or beneficiaries, other than for resale, in Arizona, California, Florida, Illinois, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Virginia, West Virginia, Wisconsin, the District of Columbia, or Puerto Rico, at any time during the period from December 29, 2015, through and until September 6, 2024; and
- b) am/are not Defendants, Defendants' subsidiaries or affiliates, or federal or state governmental entities.

I further certify that neither I, nor the TPP Class Member(s) I represent, asked to be excluded ("opted out") from the Class in this lawsuit.

To the extent I was authorized to submit this Claim Form on behalf of one or more TPP Class Members, am submitting this Claim Form as an authorized agent, and have been authorized to receive on behalf of these TPP Class Member(s) any and all amounts from the Settlement that may be allocated to them, I certify that such authority has been properly vested in me in writing. I can and will submit such written authorization to the Claims Administrator, and I will fulfill all duties I may owe the TPP Class Member(s). If amounts from the Settlement are distributed to me, and a TPP Class Member later claims I did not have the authority to claim and/or receive such amounts on its behalf, I and/or my employer will hold the Class, Class Counsel, and the Claims Administrator harmless with respect to any claims made by the TPP Class Member.

I/We hereby submit to the jurisdiction of the United States District Court for the District of Maryland for all purposes connected with this Claim Form, including resolving disputes related to this Claim Form. I/We acknowledge that if I/we provided any false information or representations related to this claim, I/we may be subject to sanctions, including criminal prosecution. If the Claims Administrator asks for additional supporting documents to supplement this Claim Form and the information in it, I agree to provide them.

I certify that the above information is true and correct to the best of my knowledge and this Claim Form was executed this _____ day of _____ 2026.

Signature

Position/Title

Print Name

Date

Mail your completed Claim Form, along with any supporting documents as described in the CLAIM INFORMATION AND DOCUMENTATION INSTRUCTIONS on page 2 above, to the address below, postmarked no later than **[Month 00, 2026]** or submit the information online at the website below by that date:

Tracleer Litigation
c/o A.B. Data, Ltd.
P.O. Box 173072
Milwaukee, WI 53217
Toll-Free Telephone: 1-877-354-3839
Website: www.TracleerLitigation.com

REMINDER CHECKLIST:

1. Please complete and sign the above Claim Form or complete the online Claim Form. Attach or upload documents supporting your claim.
2. Keep a copy of your Claim Form and supporting documents for your records.
3. If you would also like a receipt acknowledging your Claim Form was received, please complete the form online or mail this form via Certified Mail, Return Receipt Requested.

If you move and/or your name changes, please send your new address and/or your new name or contact information to the Claims Administrator at info@TracleerLitigation.com or via U.S. Mail at the address above.

EXHIBIT E

If You Paid or Provided Reimbursement for TRACLEER or BOSENTAN

For Members, Employees, Insureds,
Participants or Beneficiaries
from 12/29/2015 - 09/06/2024

**YOU COULD GET MONEY
FROM A SETTLEMENT**

FILE A CLAIM >>

TracleerLitigation.com

