

Fill in this information to identify the case:

Debtor Hi-Tech Pharmacal Co., Inc.

United States Bankruptcy Court for the: _____ District of Delaware
(State)

Case number 20-11189

**Official Form 410
Proof of Claim**

04/19

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

| | | |
|---|--|--|
| 1. Who is the current creditor? | <u>See summary page</u> Name of the current creditor (the person or entity to be paid for this claim) _____ Other names the creditor used with the debtor _____ | |
| 2. Has this claim been acquired from someone else? | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____ | |
| 3. Where should notices and payments to the creditor be sent? | Where should notices to the creditor be sent? See summary page | Where should payments to the creditor be sent? (if different) |
| Federal Rule of Bankruptcy Procedure (FRBP) 2002(g) | Contact phone <u>914-733-7245</u> Contact email <u>See summary page</u> | Contact phone _____ Contact email _____ |
| Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____ | | |
| 4. Does this claim amend one already filed? | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY | |
| 5. Do you know if anyone else has filed a proof of claim for this claim? | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____ | |



Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? No
 Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: ____ _ _ _ _

7. How much is the claim? \$ See summary page. Does this amount include interest or other charges?
 No
 Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).
Limit disclosing information that is entitled to privacy, such as health care information.

See attached Addendum.

9. Is all or part of the claim secured? No
 Yes. The claim is secured by a lien on property.
Nature or property:
 Real estate: If the claim is secured by the debtor's principle residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
 Motor vehicle
 Other. Describe: _____

Basis for perfection: _____
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: \$ _____
Amount of the claim that is secured: \$ _____
Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amount should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: \$ _____

Annual Interest Rate (when case was filed) _____ %
 Fixed
 Variable

10. Is this claim based on a lease? No
 Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? No
 Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

No

Yes. Check all that apply:

| | Amount entitled to priority |
|---|-----------------------------|
| <input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). | \$ _____ |
| <input type="checkbox"/> Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7). | \$ _____ |
| <input type="checkbox"/> Wages, salaries, or commissions (up to \$13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). | \$ _____ |
| <input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). | \$ _____ |
| <input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). | \$ _____ |
| <input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)(____) that applies. | \$ _____ |

* Amounts are subject to adjustment on 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim pursuant to 11 U.S.C. § 503(b)(9)?

No

Yes. Indicate the amount of your claim arising from the value of any goods received by the debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.

\$ _____

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

I am the creditor.

I am the creditor's attorney or authorized agent.

I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgement that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 08/02/2020
MM / DD / YYYY

/s/Laura Mummert
Signature

Print the name of the person who is completing and signing this claim:

Name Laura Mummert
First name Middle name Last name

Title Senior Associate

Company Lowey Dannenberg, P.C.
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address One Tower Bridge, 100 Front Street, Suite 520, West Conshohocken, PA, 19428, United States

Contact phone 215-399-4785 Email lmummert@lowey.com



KCC ePOC Electronic Claim Filing Summary

For phone assistance: Domestic (877) 725-7539 | International (424) 236-7247

| | | |
|--|---|----------------------------------|
| Debtor: 20-11189 - Hi-Tech Pharmacial Co., Inc. | | |
| District: District of Delaware | | |
| Creditor: Blue Cross and Blue Shield of Massachusetts HMO Blue, Inc. on behalf of itself and its self-funded groups c/o Lowey Dannenberg, P.C., Attn: Peter D. St. Phillip 44 South Broadway Suite 1100 White Plains, NY, 10601 USA Phone: 914-733-7245 Phone 2: 215-399-4785 Fax: Email: pstphillip@lowey.com; lmummert@lowey.com | Has Supporting Documentation: Yes, supporting documentation successfully uploaded Related Document Statement: | |
| | Has Related Claim: No Related Claim Filed By: | |
| | Filing Party: Authorized agent | |
| Other Names Used with Debtor: | Amends Claim: No Acquired Claim: No | |
| Basis of Claim: See attached Addendum. | Last 4 Digits: No | Uniform Claim Identifier: |
| Total Amount of Claim: Unliquidated See attached Addendum | Includes Interest or Charges: None | |
| Has Priority Claim: No | Priority Under: | |
| Has Secured Claim: No Amount of 503(b)(9): No Based on Lease: No Subject to Right of Setoff: No | Nature of Secured Amount: Value of Property: Annual Interest Rate: Arrearage Amount: Basis for Perfection: Amount Unsecured: | |
| Submitted By: Laura Mummert on 02-Aug-2020 3:30:46 p.m. Eastern Time Title: Senior Associate Company: Lowey Dannenberg, P.C. | | |
| Optional Signature Address: Laura Mummert One Tower Bridge 100 Front Street, Suite 520 West Conshohocken, PA, 19428 United States Telephone Number: 215-399-4785 Email: lmummert@lowey.com | | |

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|----------------------|---|-------------------------|
| In re: |) | |
| |) | Chapter 11 |
| AKORN, INC., ET AL., |) | |
| |) | Case No. 20-11177 (KBO) |
| |) | |
| Debtors. |) | (Jointly Administered) |

**ADDENDUM TO PROOF OF CLAIM OF
BLUE CROSS AND BLUE SHIELD OF MASSACHUSETTS HMO BLUE, INC.**

In response to questions 7 and 8, the Creditor answers as follows:

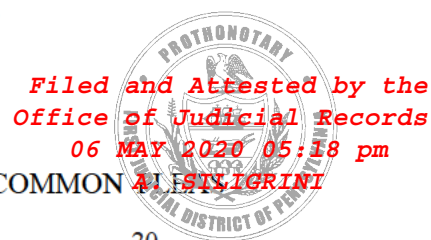
7. How much is the claim?

Creditor has suffered damages in the form of overcharges for generic pharmaceuticals that it indirectly purchased from Debtor at artificially inflated prices. The full amount of those overcharges and thus the dollar amount of Creditor's claims will not be determined until after discovery and upon proof at trial in the matter, *Blue Cross and Blue Shield of North Carolina, et al. v. Actavis Elizabeth, LLC, et al.*, No. 000347, filed in the Pennsylvania Court of Common Pleas of Philadelphia County.

8. What is the basis of the claim?

On May 6, 2020, Creditor commenced suit against Debtor in the Pennsylvania Court of Common Pleas of Philadelphia County by way of Writ of Summons in the matter, *Blue Cross and Blue Shield of North Carolina, et al. v. Actavis Elizabeth, LLC, et al.*, No. 000347, for Debtor's alleged participation in an overarching conspiracy with other generic pharmaceutical manufacturers as early as 2010 to the present to avoid competing with each other through market allocation and agreements to set and increase the prices of generic pharmaceutical drugs to extraordinary levels.

Commonwealth of Pennsylvania
COUNTY OF PHILADELPHIA



BLUE CROSS AND BLUE SHIELD OF NORTH
CAROLINA, et al.

Plaintiff

COURT OF COMMON PLEAS

May _____ Term, 20²⁰

vs.

No. _____

ACTAVIS ELIZABETH, LLC, et al.

Defendant

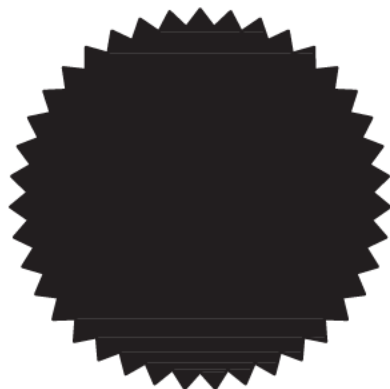
To¹ ACTAVIS ELIZABETH, LLC
200 Elmora Avenue
Elizabeth, NJ 07202,
(see attachment for list of
additional Defendants)

Writ of Summons

You are notified that the Plaintiff²
Usted esta avisado que el demandante

BLUE CROSS AND BLUE SHIELD OF NORTH CAROLINA
4615 University Drive, Durham, NC 27707,
(see attached list for additional Plaintiffs)

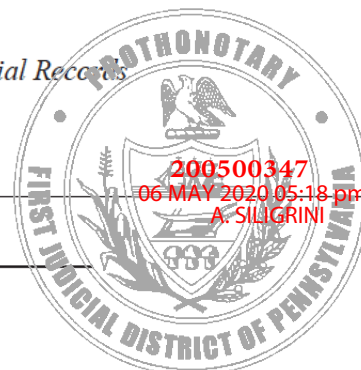
Has (have) commenced an action against you.
Ha (han) iniciado una accion en contra suya.



ERIC FEDER
Director, Office of Judicial Records

By: _____

Date: _____



¹ Name(s) of Defendant(s)

² Name(s) of Plaintiff(s)

Court of Common Pleas

May _____ Term, 20 20

No. _____

BLUE CROSS AND BLUE SHIELD OF NORTH CAROLINA, et al.
Plaintiff

vs.

ACTAVIS ELIZABETH, LLC, et al.
Defendant

SUMMONS

PLAINTIFFS

BLUE CROSS AND BLUE SHIELD OF NORTH CAROLINA
4615 University Drive
Durham, NC 27707,

BLUE CROSS AND BLUE SHIELD OF MASSACHUSETTS HMO BLUE, INC.
101 Huntington Avenue Suite 1300
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CARESOURCE MANAGEMENT GROUP CO.
230 North Main Street
Dayton, OH 45402,

INDEPENDENT HEALTH ASSOCIATION
511 Farber Lakes Drive
Williamsville, NY 14221,

INDEPENDENT HEALTH BENEFITS CORPORATION
511 Farber Lakes Drive
Williamsville, NY 14221,

AETNA INC.
151 Farmington Avenue
Hartford, CT 06156,

USABLE MUTUAL INSURANCE COMPANY, d/b/a ARKANSAS BLUE CROSS AND
BLUE SHIELD
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Little Rock, AR 72201,

DEFENDANTS

ACTAVIS ELIZABETH, LLC
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Parsippany, NJ 07054,

ACTAVIS PHARMA, INC.
400 Interpace Parkway
Parsippany, NJ 07054,

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AKORN SALES, INC.
1925 West Field Court, Suite 300
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BAUSCH HEALTH US, LLC
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Pune 411 026 India,

ENDO INTERNATIONAL PLC
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Ballsbridge, Dublin 4, Ireland,

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GENERICS BIDCO I, LLC
130 Vintage Dr. NE
Huntsville, AL 35811,

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INC., USA
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Mahwah, NJ 07430,

GREENSTONE LLC
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HERITAGE PHARMACEUTICALS INC.
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Eatontown, NJ 07724,

HIKMA LABS, INC.
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HIKMA PHARMACEUTICALS USA, INC.
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HI-TECH PHARMACAL CO., INC.
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DEFENDANTS

IMPAX LABORATORIES, LLC
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f/k/a RISING PHARMACEUTICALS, INC.
c/o AP Services, LLC
1221 McKinney Street - Suite 3275
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LUPIN PHARMACEUTICALS, INC.
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Baltimore, MD 21202,

MALLINCKRODT INC.
385 Marshall Ave.
Webster Groves, MO 63119,

MAYNE PHARMA INC.
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Paramus, NJ 07652,

MORTON GROVE PHARMACEUTICALS, INC.
6451 Main Street
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MUTUAL PHARMACEUTICAL COMPANY, INC.
1100 Orthodox Street
Philadelphia, PA 19124,

MYLAN INC.
1000 Mylan Boulevard
Canonsburg, PA 15317,

DEFENDANTS

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MYLAN PHARMACEUTICALS, INC.
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Canonsburg, PA 15317,

MYLAN, N.V.
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OCEANSIDE PHARMACEUTICALS, INC.
c/o Valeant Pharmaceuticals International
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One Ram Ridge Road
Chestnut Ridge, NY 10977,

PAR PHARMACEUTICAL COMPANIES, INC.
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Chestnut Ridge, NY 10977,

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PERRIGO NEW YORK, INC.
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PFIZER, INC.
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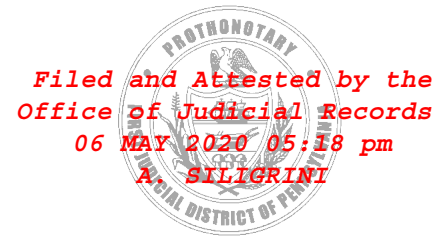
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AETNA INC.
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PHILADELPHIA COUNTY
COURT OF COMMON PLEAS

TRIAL DIVISION

May Term, 2020

No. _____

USABLE MUTUAL INSURANCE COMPANY,
d/b/a ARKANSAS BLUE CROSS AND BLUE
SHIELD

601 Gaines Street
Little Rock, AR 72201,

Plaintiffs,

vs.

ACTAVIS ELIZABETH, LLC
200 Elmora Avenue
Elizabeth, NJ 07202,

ACTAVIS HOLDCO US, INC.
400 Interpace Parkway
Parsippany, NJ 07054,

ACTAVIS PHARMA, INC.
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ENDO INTERNATIONAL PLC
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Laurelton, NY 11413,

FOUGERA PHARMACEUTICALS INC.
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Melville, NY 11747,

G&W LABORATORIES, INC.
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South Plainfield, NJ 07080,

GENERICS BIDCO I, LLC
130 Vintage Dr. NE
Huntsville, AL 35811,

GLENMARK PHARMACEUTICALS
INC., USA
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GREENSTONE LLC
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HERITAGE PHARMACEUTICALS INC.
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Eatontown, NJ 07724,

(caption continues on next page)

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Eatontown, NJ 07724,

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WEST-WARD PHARMACEUTICALS CORP.
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Eatontown, NJ 07724,

HI-TECH PHARMACAL CO., INC.
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LABORATORIES, INC.
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INC.
207 Kiley Drive
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RISING PHARMACEUTICALS, LLC f/k/a
RISING PHARMACEUTICALS, INC.
c/o AP Services, LLC
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Houston, TX 77010,

LANNETT COMPANY, INC.
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LUPIN PHARMACEUTICALS, INC.
Harborplace Tower
111 S. Calvert Street, 21st Floor
Baltimore, MD 21202,

MALLINCKRODT INC.
385 Marshall Ave.
Webster Groves, MO 63119,

(caption continues on next page)

MAYNE PHARMA INC.
650 From Road
Paramus, NJ 07652,

MORTON GROVE PHARMACEUTICALS, INC.
6451 Main Street
Morton Grove, IL 60053,

MUTUAL PHARMACEUTICAL COMPANY,
INC.
1100 Orthodox Street
Philadelphia, PA 19124,

MYLAN INC.
1000 Mylan Boulevard
Canonsburg, PA 15317,

MYLAN INSTITUTIONAL INC. f/k/a UDL
LABORATORIES, INC.
1718 Northrock Court
Rockford, IL 61103,

MYLAN PHARMACEUTICALS, INC.
1000 Mylan Boulevard
Canonsburg, PA 15317,

MYLAN, N.V.
1000 Mylan Boulevard
Canonsburg, PA 15317,

OCEANSIDE PHARMACEUTICALS, INC.
c/o Valeant Pharmaceuticals International
One Enterprise
Aliso Viejo, CA 92656,

PAR PHARMACEUTICAL, INC.
One Ram Ridge Road
Chestnut Ridge, NY 10977,

PAR PHARMACEUTICAL COMPANIES, INC.
One Ram Ridge Road
Chestnut Ridge, NY 10977,

(caption continues on next page)

PERRIGO COMPANY PLC
The Sharp Building
Hogan Place
Dublin 2, Ireland,

PERRIGO NEW YORK, INC.
1700 Bathgate Ave
Bronx, NY 10457,

PFIZER, INC.
235 East 42nd Street
New York, NY 10017,

PLIVA, INC.
72 Deforest Ave
East Hanover, NJ 07936,

SANDOZ, INC.
100 College Road West
Princeton, NJ 08540,

STRIDES PHARMA, INC.
2 Tower Center Blvd #1102
East Brunswick, NJ 08816,

SUN PHARMACEUTICAL INDUSTRIES, INC.
1 Commerce Drive
Cranbury, NJ 08512,

TARO PHARMACEUTICAL INDUSTRIES LTD.
14 Hakitor St.
P.O.B. 10347
Haifa Bay, 2624761, Israel,

TARO PHARMACEUTICALS USA, INC.
3 Skyline Drive
Hawthorne, NY 10532,

TELIGENT, INC.
105 Lincoln Ave
Buena, NJ 08310,

(caption continues on next page)

TEVA PHARMACEUTICALS USA, INC.
425 Privet Road
Horsham, PA 19044,

TORRENT PHARMA INC.
150 Allen Rd
Basking Ridge, NJ 07920,

UPSHER-SMITH LABORATORIES, INC.
6701 Evenstad Drive North
Maple Grove, MN 55369,

UPSHER-SMITH LABORATORIES, LLC
6701 Evenstad Drive North
Maple Grove, MN 55369,

URL PHARMA INC.
1100 Orthodox Street
Philadelphia, PA 19124,

VERSAPHARM INC.
1775 West Oak Parkway # 800
Marietta, GA 30062,

WEST-WARD PHARMACEUTICALS INC.
246 Industrial Way West
Eatontown, NJ 07724,

WEST-WARD COLUMBUS, INC.
246 Industrial Way West
Eatontown, NJ 07724,

WOCKHARDT USA LLC
20 Waterview Boulevard, 3rd Floor
Parsippany, NJ 07054,

ZYDUS PHARMACEUTICALS (USA) INC.
73 Route 31 North
Pennington, NJ 08534,

ARA APRAHAMIAN
14 Catalpa Court
Bardonia, NY 10954,

(caption continues on next page)

DAVID BERTHOLD
11 Eldorado Drive
Wayne, NJ 07470,

JAMES BROWN
4521 Christensen Circle
Littleton, CO 80123,

MAUREEN CAVANAUGH
529 North York Road
Hatboro, PA 19040,

TRACY SULLIVAN DIVALERIO
2 Pierre Court
Marlton, NJ 08053,

MARC FALKIN
2915 Weston Road
Weston, FL 33331,

JAMES GRAUSO
113 Windsor Lane
Ramsey, NJ 07446,

KEVIN GREEN
110 Coachlight Circle
Chalfont, PA 18914,

ARMANDO KELLUM
56 Gravel Hill Road
Huntingdon Valley, PA 19006,

RAJIV MALIK
605 Grandview Drive
Gibsonia, PA 15044,

SATISH MEHTA
Prasanna 4
Mumbai Pune Road
Kirkee, Pune-3, India,

(caption continues on next page)

JILL NAILOR
1918 McRae Lane
Mundelein, IL 60060,

JAMES NESTA
4516 Avalon Forrest Lane
Charlotte, NC 28269-8195,

KONSTANTIN OSTAFICIUK
29 Horizon Drive
Mendham, NJ 07945,

NISHA PATEL
103 Chinaberry Lane
Collegeville, PA 19426,

DAVID REKENTHALER
2626 Lulworth Lane
Marietta, GA 30062,

RICHARD ROGERSON
32 Chestnut Trail
Flemington, NJ 08822,

Defendants.

PRAECIPE TO ISSUE WRIT OF SUMMONS

Tort – Other

To the Office of Judicial Records:

Kindly issue a Writ of Summons – Civil Action in the above-captioned matter.

Dated: May 6, 2020

By: /s/ Anthony M. Christina

Gerald Lawrence (PA ID No. 69079)
Peter D. St. Phillip (PA ID No. 70027)
Laura K. Mummert (PA ID No. 85964)
Anthony M. Christina (PA ID No. 322528)
LOWEY DANNENBERG, P.C.
One Tower Bridge
100 Front St., Suite 520
West Conshohocken, PA 19428

Tel: (215) 399-4770
Email: glawrence@lowey.com
pstphillip@lowey.com
lmummert@lowey.com
achristina@lowey.com

Geoffrey M. Horn (to be admitted *pro hac vice*)
Uriel Rabinovitz (to be admitted *pro hac vice*)

LOWEY DANNENBERG, P.C.

44 South Broadway, Suite 1100

White Plains, NY 10601

Tel: (914) 997-0500

Email: ghorn@lowey.com
urabinovitz@lowey.com

Attorneys for Plaintiffs

Mark D. Fischer, Esq. (to be admitted *pro hac vice*)

Jeffrey C. Swann, Esq. (to be admitted *pro hac vice*)

Robert Griffith, Esq. (to be admitted *pro hac vice*)

RAWLINGS & ASSOCIATES

1 Eden Parkway

LaGrange, KY 40031

Email: mdf@rawlingsandassociates.com

js5@rawlingsandassociates.com

rg1@rawlingsandassociates.com

Of Counsel to Plaintiffs

Court of Common Pleas of Philadelphia County
Trial Division

Civil Cover Sheet

| | |
|---|---------------|
| For Prothonotary Use Only (Docket Number) | |
| MAY 2020 | 000347 |
| E-Filing Number: 2005006790 | |

| | |
|--|--|
| PLAINTIFF'S NAME BLUE CROSS AND BLUE SHIELD OF NORTH CAROLINA | DEFENDANT'S NAME ACTAVIS ELIZABETH, LLC |
|--|--|

| | |
|---|--|
| PLAINTIFF'S ADDRESS 4615 UNIVERSITY DRIVE DURHAM NC 27707 | DEFENDANT'S ADDRESS 200 ELMORA AVENUE ELIZABETH NJ 07202 |
|---|--|

| | |
|---|---|
| PLAINTIFF'S NAME BLUE CROSS AND BLUE SHIELD OF MASSACHUSETTS HMO BLUE, INC. | DEFENDANT'S NAME ACTAVIS HOLDCO US, INC. |
|---|---|

| | |
|--|---|
| PLAINTIFF'S ADDRESS 101 HUNTINGTON AVENUE SUITE 1300 BOSTON MA 02199 | DEFENDANT'S ADDRESS 400 INTERPACE PARKWAY PARSIPPANY NJ 07054 |
|--|---|

| | |
|---|--|
| PLAINTIFF'S NAME CARESOURCE MANAGEMENT GROUP CO. | DEFENDANT'S NAME ACTAVIS PHARMA, INC. |
|---|--|

| | |
|---|---|
| PLAINTIFF'S ADDRESS 230 NORTH MAIN STREET DAYTON OH 45402 | DEFENDANT'S ADDRESS 400 INTERPACE PARKWAY PARSIPPANY NJ 07054 |
|---|---|

| | | |
|---------------------------------|----------------------------------|---|
| TOTAL NUMBER OF PLAINTIFFS 7 | TOTAL NUMBER OF DEFENDANTS 84 | COMMENCEMENT OF ACTION <input type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input checked="" type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions |
|---------------------------------|----------------------------------|---|

| | |
|--|--|
| AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00 | COURT PROGRAMS <input type="checkbox"/> Arbitration <input type="checkbox"/> Mass Tort <input checked="" type="checkbox"/> Commerce <input type="checkbox"/> Settlement <input type="checkbox"/> Jury <input type="checkbox"/> Savings Action <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Minors <input type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> W/D/Survival <input type="checkbox"/> Other: _____ |
|--|--|

| |
|--|
| CASE TYPE AND CODE KT - DISPUTE RE: BUSINESS TORT |
|--|

| |
|-------------------------------------|
| STATUTORY BASIS FOR CAUSE OF ACTION |
|-------------------------------------|

| | | |
|--|---|---|
| RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER) | <p style="text-align: center;">FILED PRO PROTHY MAY 06 2020 A. SILIGRINI</p> | IS CASE SUBJECT TO COORDINATION ORDER? YES NO |
|--|---|---|

TO THE PROTHONOTARY:
Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: BLUE CROSS AND BLUE SHIELD OF NORTH CAROLINA , BLUE CROSS AND BLUE SHIE
Papers may be served at the address set forth below.

| | |
|--|---|
| NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY ANTHONY CHRISTINA | ADDRESS LOWEY DANNENBERG PC ONE TOWER BRIDGE 100 FRONT ST SUITE 520 WEST CONSHOCKEN PA 19428-2977 |
| PHONE NUMBER (215) 399-4782 | FAX NUMBER none entered |

| | |
|--|--|
| SUPREME COURT IDENTIFICATION NO. 322528 | E-MAIL ADDRESS achristina@lowey.com |
|--|--|

| | |
|--|---|
| SIGNATURE OF FILING ATTORNEY OR PARTY ANTHONY CHRISTINA | DATE SUBMITTED Wednesday, May 06, 2020, 05:18 pm |
|--|---|

COMPLETE LIST OF PLAINTIFFS:

1. BLUE CROSS AND BLUE SHIELD OF NORTH CAROLINA
4615 UNIVERSITY DRIVE
DURHAM NC 27707
2. BLUE CROSS AND BLUE SHIELD OF MASSACHUSETTS HMO BLUE, INC.
101 HUNTINGTON AVENUE SUITE 1300
BOSTON MA 02199
3. CARESOURCE MANAGEMENT GROUP CO.
230 NORTH MAIN STREET
DAYTON OH 45402
4. INDEPENDENT HEALTH ASSOCIATION
511 FARBER LAKES DRIVE
WILLIAMSVILLE NY 14221
5. INDEPENDENT HEALTH BENEFITS CORPORATION
511 FARBER LAKES DRIVE
WILLIAMSVILLE NY 14221
6. AETNA INC.
151 FARMINGTON AVENUE
HARTFORD CT 06156
7. USABLE MUTUAL INSURANCE COMPANY
ALIAS: D/B/A ARKANSAS BLUE CROSS AND BLUE SHIELD
601 GAINES STREET
LITTLE ROCK AR 72201

COMPLETE LIST OF DEFENDANTS:

1. ACTAVIS ELIZABETH, LLC
200 ELMORA AVENUE
ELIZABETH NJ 07202
2. ACTAVIS HOLDCO US, INC.
400 INTERPACE PARKWAY
PARSIPPANY NJ 07054
3. ACTAVIS PHARMA, INC.
400 INTERPACE PARKWAY
PARSIPPANY NJ 07054
4. AKORN, INC.
1925 WEST FIELD COURT SUITE 300
LAKE FOREST IL 60045
5. AKORN SALES, INC.
1925 WEST FIELD COURT
LAKE FOREST IL 60045
6. ALVOGEN, INC.
10B BLOOMFIELD AVE
PINE BROOK NJ 07058
7. AMNEAL PHARMACEUTICALS, INC.
400 CROSSING BOULEVARD
BRIDGEWATER NJ 08807
8. AMNEAL PHARMACEUTICALS, LLC
400 CROSSING BOULEVARD
BRIDGEWATER NJ 08807
9. ASCEND LABORATORIES, LLC
339 JEFFERSON ROAD, SUITE 101
PARSIPPANY NJ 07054
10. APOTEX CORP.
2400 NORTH COMMERCE PARKWAY
WESTON FL 33326
11. AUROBINDO PHARMA USA, INC.
6 WHEELING ROAD
DAYTON NJ 08810
12. BARR PHARMACEUTICALS, LLC
425 PRIVET ROAD
HORSHAM PA 19044
13. BAUSCH HEALTH AMERICAS, INC.
ALIAS: F/K/A VALEANT PHARMACEUTICALS INTERNATIONAL
400 SOMERSET CORPORATE BLVD.

BRIDGEWATER TOWNSHIP NJ 08807

14. BAUSCH HEALTH US, LLC
ALIAS: F/K/A VALEANT PHARMACEUTICALS NORTH AMERICA LLC
400 SOMERSET CORPORATE BLVD.
BRIDGEWATER TOWNSHIP NJ 08807
15. BRECKENRIDGE PHARMACEUTICAL, INC.
15 MASSIRIO DRIVE, SUITE 201
BERLIN NJ 06037
16. CAMBER PHARMACEUTICALS, INC.
1031 CENTENNIAL AVE
PISCATAWAY NJ 08854
17. CITRON PHARMA LLC
ALIAS: N/K/A CEDAR PHARMA LLC
2 TOWER CENTER BOULEVARD SUITE 1101
EAST BRUNSWICK NJ 08816
18. DAVA PHARMACEUTICALS, INC.
400 KELBY STREET, SUITE 77
FORT LEE NJ 07024
19. DR. REDDY'S LABORATORIES INC.
107 COLLEGE ROAD EAST
PRINCETON NJ 08540
20. EMCURE PHARMACEUTICALS, LTD.
EMCURE HOUSE T 184, M.I.D.C., BHOSARI,
PUNE 411 026
21. ENDO INTERNATIONAL PLC
FIRST FLOOR, MINERVA HOUSE SIMMONSCOURT ROAD
BALLSBRIDGE, DUBLIN4
22. EPIC PHARMA, LLC
227-15 N CONDUIT AVENUE
LAURELTON NY 11413
23. FOUGERA PHARMACEUTICALS INC.
60 BAYLIS ROAD
MELVILLE NY 11747
24. G&W LABORATORIES, INC.
301 HELEN STREET
SOUTH PLAINFIELD NJ 07080
25. GENERICS BIDCO I, LLC
130 VINTAGE DR. NE
HUNTSVILLE AL 35811
26. GLENMARK PHARMACEUTICALS INC., USA
750 CORPORATE DRIVE
MAHWAH NJ 07430
27. GREENSTONE LLC
100 ROUTE 206 NORTH
PEAPACK NJ 07977
28. HERITAGE PHARMACEUTICALS INC.
12 CHRISTOPHER WAY, SUITE 300
EATONTOWN NJ 07724
29. HIKMA LABS, INC.
246 INDUSTRIAL WAY WEST
EATONTOWN NJ 07724
30. HIKMA PHARMACEUTICALS USA, INC.
ALIAS: F/K/A WEST-WARD PHARMACEUTICALS CORP.
246 INDUSTRIAL WAY WEST
EATONTOWN NJ 07724
31. HI-TECH PHARMACAL CO., INC.
10 EDISON STREET EAST
AMITYVILLE NY 11701
32. IMPAX LABORATORIES, LLC
ALIAS: F/K/A IMPAX LABORATORIES, INC.
31047 GENSTAR ROAD
HAYWARD CA 94544
33. JUBILANT CADISTA PHARMACEUTICALS INC.
207 KILEY DRIVE

- SALISBURY MD 21801
34. KAVOD PHARMACEUTICALS LLC
ALIAS: F/K/A RISING PHARMACEUTICALS, INC.
C/O AP SERVICES, LLC 1221 MCKINNEY STREET SUITE 3275
HOUSTON TX 77010
 35. LANNETT COMPANY, INC.
9000 STATE ROAD
PHILADELPHIA PA 19136
 36. LUPIN PHARMACEUTICALS, INC.
HARBORPLACE TOWER 111 S. CALVERT STREET 21ST FLOOR
BALTIMORE MD 21202
 37. MALLINCKRODT INC.
385 MARSHALL AVE.
WEBSTER GROVES MO 63119
 38. MAYNE PHARMA INC.
650 FROM ROAD
PARAMUS NJ 07652
 39. MORTON GROVE PHARMACEUTICALS, INC.
6451 MAIN STREET
MORTON GROVE IL 60053
 40. MUTUAL PHARMACEUTICAL COMPANY, INC.
1100 ORTHODOX STREET
PHILADELPHIA PA 19124
 41. MYLAN INC.
1000 MYLAN BOULEVARD
CANONSBURG PA 15317
 42. MYLAN INSTITUTIONAL INC.
ALIAS: F/K/A UDL LABORATORIES, INC.
1718 NORTHROCK COURT
ROCKFORD IL 61103
 43. MYLAN PHARMACEUTICALS, INC.
1000 MYLAN BOULEVARD
CANONSBURG PA 15317
 44. MYLAN, N.V.
1000 MYLAN BOULEVARD
CANONSBURG PA 15317
 45. OCEANSIDE PHARMACEUTICALS, INC.
C/O VALEANT PHARMA. INT'L ONE ENTERPRISE
ALISO VIEJO CA 92656
 46. PAR PHARMACEUTICAL, INC.
ONE RAM RIDGE ROAD
CHESTNUT RIDGE NY 10977
 47. PAR PHARMACEUTICAL COMPANIES, INC.
ONE RAM RIDGE ROAD
CHESTNUT RIDGE NY 10977
 48. PERRIGO COMPANY PLC
THE SHARP BUILDING HOGAN PLACE
DUBLIN 2
 49. PERRIGO NEW YORK, INC.
1700 BATHGATE AVE
BRONX NY 10457
 50. PFIZER, INC.
235 EAST 42ND STREET
NEW YORK NY 10017
 51. PLIVA, INC.
72 DEFOREST AVE
EAST HANOVER NJ 07936
 52. SANDOZ, INC.
100 COLLEGE ROAD WEST
PRINCETON NJ 08540
 53. STRIDES PHARMA, INC.
2 TOWER CENTER BLVD #1102
EAST BRUNSWICK NJ 08816
 54. SUN PHARMACEUTICAL INDUSTRIES, INC.

- 1 COMMERCE DRIVE
CRANBURY NJ 08512
55. TARO PHARMACEUTICAL INDUSTRIES LTD.
14 HAKITOR ST. P.O.B. 10347
HAIFA BAY, 2624761
56. TARO PHARMACEUTICALS USA, INC.
3 SKYLINE DRIVE
HAWTHORNE NY 10532
57. TELIGENT, INC.
105 LINCOLN AVE
BUENA NJ 08310
58. TEVA PHARMACEUTICALS USA, INC.
425 PRIVET ROAD
HORSHAM PA 19044
59. TORRENT PHARMA INC.
150 ALLEN RD.
BASKING RIDGE NJ 07920
60. UPSHER-SMITH LABORATORIES, INC.
6701 EVENSTAD DRIVE NORTH
MAPLE GROVE MN 55369
61. UPSHER-SMITH LABORATORIES, LLC
6701 EVENSTAD DRIVE NORTH
MAPLE GROVE MN 55369
62. URL PHARMA INC.
1100 ORTHODOX STREET
PHILADELPHIA PA 19124
63. VERSAPHARM INC.
1775 WEST OAK PARKWAY # 800
MARIETTA GA 30062
64. WEST-WARD PHARMACEUTICALS INC.
246 INDUSTRIAL WAY WEST
EATONTOWN NJ 07724
65. WEST-WARD COLUMBUS, INC.
246 INDUSTRIAL WAY WEST
EATONTOWN NJ 07724
66. WOCKHARDT USA LLC
20 WATERVIEW BOULEVARD
PARSIPPANY NJ 07054
67. ZYDUS PHARMACEUTICALS (USA) INC.
73 ROUTE 31 NORTH
PENNINGTON NJ 08534
68. ARA APRAHAMIAN
14 CATALPA COURT
BARDONIA NY 10954
69. DAVID BERTHOLD
11 ELDORADO DRIVE
WAYNE NJ 07470
70. JAMES BROWN
4521 CHRISTENSEN CIRCLE
LITTLETON CO 80123
71. MAUREEN CAVANAUGH
529 NORTH YORK ROAD
HORSHAM PA 19040
72. TRACY SULLIVAN. DIVALERIO
2 PIERRE COURT
MARLTON NJ 08053
73. MARC FALKIN
2915 WESTON ROAD
WESTON FL 33331
74. JAMES GRAUSO
113 WINDSOR LANE
RAMSEY NJ 07446
75. KEVIN GREEN
110 COACHLIGHT CIRCLE
CHALFONT PA 18914

76. ARMANDO KELLUM
56 GRAVEL HILL ROAD
HUNTINGDON VALLEY PA 19006
77. RAJIV MALIK
605 GRANDVIEW DRIVE
GIBSONIA PA 15044
78. SATISH MEHTA
PRASANNA 4 MUMBAI PUNE ROAD
KIRKEE, PUNE-3
79. JILL NAILOR
1918 MCRAE LANE
MUNDELEIN IL 60060
80. JAMES NESTA
4516 AVALON FORREST LANE
CHARLOTTE NC 28269-8195
81. KONSTANTIN OSTAFICIUK
29 HORIZON DRIVE
MENDHAM NJ 07945
82. NISHA PATEL
103 CHINABERRY LANE
COLLEGEVILLE PA 19426
83. DAVID REKENTHALER
2626 LULWORTH LANE
MARIETTA GA 30062
84. RICHARD ROGERSON
32 CHESTNUT TRAIL
FLEMINGTON NJ 08822

**COMMERCE PROGRAM ADDENDUM
TO CIVIL COVER SHEET**

This case is subject to the Commerce Program because it is not an arbitration matter and it falls within one or more of the following types (check all applicable):

- 1. Actions relating to the internal affairs or governance, dissolution or liquidation, rights or obligations between or among owners (shareholders, partners, members), or liability or indemnity of managers (officers, directors, managers, trustees, or members or partners functioning as managers) of business corporations, partnerships, limited partnerships, limited liability companies or partnerships, professional associations, business trusts, joint ventures or other business enterprises, including but not limited to any actions involving interpretation of the rights or obligations under the organic law (e.g., Pa. Business Corporation Law), articles of incorporation, by-laws or agreements governing such enterprises;

- 2. Disputes between or among two or more business enterprises relating to transactions, business relationships or contracts between or among the business enterprises. Examples of such transactions, relationships and contracts include:
 - a. Uniform Commercial Code transactions;
 - b. Purchases or sales of business or the assets of businesses;
 - c. Sales of goods or services by or to business enterprises;
 - d. Non-consumer bank or brokerage accounts, including loan, deposit cash management and investment accounts;
 - e. Surety bonds;
 - f. Purchases or sales or leases of, or security interests in, commercial, real or personal property; and
 - g. Franchisor/franchisee relationships.

- 3. Actions relating to trade secret or non-compete agreements;

- 4. "Business torts," such as claims of unfair competition, or interference with contractual relations or prospective contractual relations;

- 5. Actions relating to intellectual property disputes;

- 6. Actions relating to securities, or relating to or arising under the Pennsylvania Securities Act;

- 7. Derivative actions and class actions based on claims otherwise falling within these ten types, such as shareholder class actions, but not including consumer class actions, personal injury class actions, and products liability class actions;

- 8. Actions relating to corporate trust affairs;

- 9. Declaratory judgment actions brought by insurers, and coverage dispute and bad faith claims brought by insureds, where the dispute arises from a business or commercial insurance policy, such as a Comprehensive General Liability policy;

- 10. Third-party indemnification claims against insurance companies where the subject insurance policy is a business or commercial policy and where the underlying dispute would otherwise be subject to the Commerce Program, not including claims where the underlying dispute is principally a personal injury claim.