

**Fill in this information to identify the case:**

Debtor VersaPharm Incorporated

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

Case number 20-11194

**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. <b>Who is the current creditor?</b>	<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. <b>Has this claim been acquired from someone else?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. <b>Where should notices and payments to the creditor be sent?</b>	<b>Where should notices to the creditor be sent?</b> See summary page	<b>Where should payments to the creditor be sent? (if different)</b>
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. <b>Does this claim amend one already filed?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ <span style="float: right;">MM / DD / YYYY</span>	
5. <b>Do you know if anyone else has filed a proof of claim for this claim?</b>	<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)?

- No
- Yes. Check all that apply:

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

- Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). Amount entitled to priority  
\$ \_\_\_\_\_
- 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). \$ \_\_\_\_\_
- 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). \$ \_\_\_\_\_
- Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). \$ \_\_\_\_\_
- Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). \$ \_\_\_\_\_
- 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:

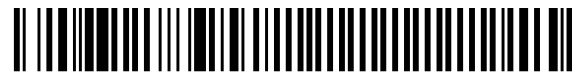
Name Laura Mummert  
First name Middle name Last name

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

<b>Debtor:</b> 20-11194 - VersaPharm Incorporated		
<b>District:</b> District of Delaware		
<b>Creditor:</b> 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 <b>Phone:</b> 914-733-7245 <b>Phone 2:</b> 215-399-4785 <b>Fax:</b>  <b>Email:</b> pstphillip@lowey.com; lmummert@lowey.com	<b>Has Supporting Documentation:</b> Yes, supporting documentation successfully uploaded <b>Related Document Statement:</b>	
	<b>Has Related Claim:</b> No <b>Related Claim Filed By:</b>	
	<b>Filing Party:</b> Authorized agent	
<b>Other Names Used with Debtor:</b>	<b>Amends Claim:</b> No <b>Acquired Claim:</b> No	
<b>Basis of Claim:</b> See attached Addendum.	<b>Last 4 Digits:</b> No	<b>Uniform Claim Identifier:</b>
<b>Total Amount of Claim:</b> Unliquidated See attached Addendum	<b>Includes Interest or Charges:</b> None	
<b>Has Priority Claim:</b> No	<b>Priority Under:</b>	
<b>Has Secured Claim:</b> No <b>Amount of 503(b)(9):</b> No <b>Based on Lease:</b> No <b>Subject to Right of Setoff:</b> No	<b>Nature of Secured Amount:</b> <b>Value of Property:</b> <b>Annual Interest Rate:</b> <b>Arrearage Amount:</b> <b>Basis for Perfection:</b> <b>Amount Unsecured:</b>	
<b>Submitted By:</b> Laura Mummert on 02-Aug-2020 3:40:34 p.m. Eastern Time <b>Title:</b> Senior Associate <b>Company:</b> Lowey Dannenberg, P.C.		
<b>Optional Signature Address:</b> Laura Mummert One Tower Bridge 100 Front Street, Suite 520  West Conshohocken, PA, 19428 United States <b>Telephone Number:</b> 215-399-4785 <b>Email:</b> 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)

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**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:

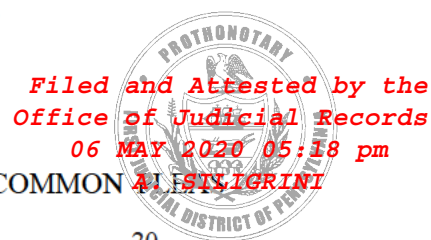
**7. How much is the claim?**

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, 20<sup>20</sup>

vs.

No. \_\_\_\_\_

ACTAVIS ELIZABETH, LLC, et al.

*Defendant*

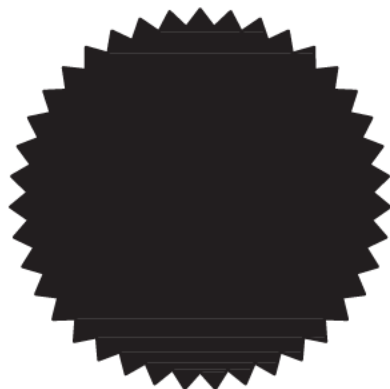
To<sup>1</sup> ACTAVIS ELIZABETH, LLC  
200 Elmora Avenue  
Elizabeth, NJ 07202,  
(see attachment for list of  
additional Defendants)

**Writ of Summons**

You are notified that the Plaintiff<sup>2</sup>  
*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)

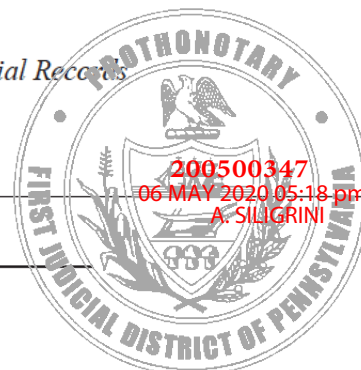
Has (have) commenced an action against you.  
*Ha (han) iniciado una accion en contra suya.*



ERIC FEDER  
*Director, Office of Judicial Records*

By: \_\_\_\_\_

Date: \_\_\_\_\_



<sup>1</sup> Name(s) of Defendant(s)

<sup>2</sup> 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  
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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  
601 Gaines Street  
Little Rock, AR 72201,



**DEFENDANTS**

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

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

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

AKORN, INC.  
1925 West Field Court, Suite 300  
Lake Forest, IL 60045,

AKORN SALES, INC.  
1925 West Field Court, Suite 300  
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ALVOGEN, INC.  
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Bridgewater, NJ, 08807,

AMNEAL PHARMACEUTICALS, LLC  
400 Crossing Boulevard  
Bridgewater, NJ 08807,

ASCEND LABORATORIES, LLC  
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Parsippany, NJ 07054,

APOTEX CORP.  
2400 North Commerce Parkway  
Weston, FL 33326,

AUROBINDO PHARMA USA, INC.  
6 Wheeling Road  
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**DEFENDANTS**

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425 Privet Road  
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BAUSCH HEALTH AMERICAS, INC.  
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400 Somerset Corporate Blvd.  
Bridgewater Township, NJ 08807,

BAUSCH HEALTH US, LLC  
f/k/a VALEANT PHARMACEUTICALS NORTH AMERICA LLC  
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BRECKENRIDGE PHARMACEUTICAL, INC.  
15 Massirio Drive, Suite 201  
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CAMBER PHARMACEUTICALS, INC.  
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CITRON PHARMA LLC  
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2 Tower Center Boulevard, Suite 1101  
East Brunswick, NJ 08816,

DAVA PHARMACEUTICALS, INC.  
400 Kelby Street, Suite 77  
Fort Lee, NJ 07024,

DR. REDDY'S LABORATORIES INC.  
107 College Road East  
Princeton, NJ 08540,

EMCURE PHARMACEUTICALS, LTD.  
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T 184, M.I.D.C., Bhosari,  
Pune 411 026 India,

ENDO INTERNATIONAL PLC  
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Ballsbridge, Dublin 4, Ireland,

**DEFENDANTS**

EPIC PHARMA, LLC  
227-15 N Conduit Avenue  
Laurelton, NY 11413,

FOUGERA PHARMACEUTICALS INC.  
60 Baylis Road  
Melville, NY 11747,

G&W LABORATORIES, INC.  
301 Helen Street,  
South Plainfield, NJ 07080,

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

GLENMARK PHARMACEUTICALS  
INC., USA  
750 Corporate Drive  
Mahwah, NJ 07430,

GREENSTONE LLC  
100 Route 206 North  
Peapack, NJ 07977,

HERITAGE PHARMACEUTICALS INC.  
12 Christopher Way, Suite 300  
Eatontown, NJ 07724,

HIKMA LABS, INC.  
246 Industrial Way West  
Eatontown, NJ 07724,

HIKMA PHARMACEUTICALS USA, INC.  
f/k/a WEST-WARD PHARMACEUTICALS CORP.  
246 Industrial Way West,  
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HI-TECH PHARMACAL CO., INC.  
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Amityville, NY 11701,

**DEFENDANTS**

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31047 Genstar Road  
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JUBILANT CADISTA PHARMACEUTICALS INC.  
207 Kiley Drive  
Salisbury, MD 21801,

KAVOD PHARMACEUTICALS LLC  
f/k/a RISING PHARMACEUTICALS, LLC  
f/k/a RISING PHARMACEUTICALS, INC.  
c/o AP Services, LLC  
1221 McKinney Street - Suite 3275  
Houston, TX 77010,

LANNETT COMPANY, INC.  
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Philadelphia, PA 19136,

LUPIN PHARMACEUTICALS, INC.  
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111 S. Calvert Street, 21st Floor  
Baltimore, MD 21202,

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

MAYNE PHARMA INC.  
650 From Road  
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MORTON GROVE PHARMACEUTICALS, INC.  
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MUTUAL PHARMACEUTICAL COMPANY, INC.  
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Philadelphia, PA 19124,

MYLAN INC.  
1000 Mylan Boulevard  
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## DEFENDANTS

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MYLAN, N.V.  
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PAR PHARMACEUTICAL COMPANIES, INC.  
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PERRIGO COMPANY PLC  
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PERRIGO NEW YORK, INC.  
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UPSHER-SMITH LABORATORIES, LLC  
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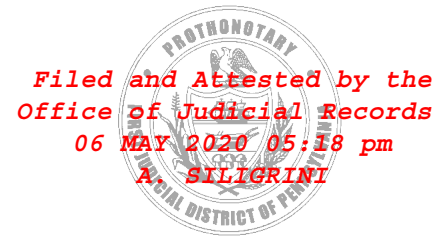
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*Attorneys for Plaintiffs*

*(additional counsel listed below)*

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

AETNA INC.  
151 Farmington Avenue  
Hartford, CT 06156,

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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.  
400 Interpace Parkway  
Parsippany, NJ 07054,

AKORN, INC.  
1925 West Field Court, Suite 300  
Lake Forest, IL 60045,

AKORN SALES, INC.  
1925 West Field Court, Suite 300  
Lake Forest, IL 60045,

ALVOGEN, INC.  
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AMNEAL PHARMACEUTICALS, LLC  
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Bridgewater, NJ 08807,

*(caption continues on next page)*

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2400 North Commerce Parkway  
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Dayton, NJ 08810,

BARR PHARMACEUTICALS, LLC  
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Horsham, PA 19044,

BAUSCH HEALTH AMERICAS, INC. f/k/a  
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INTERNATIONAL  
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Bridgewater Township, NJ 08807,

BAUSCH HEALTH US, LLC f/k/a VALEANT  
PHARMACEUTICALS NORTH AMERICA LLC  
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Bridgewater Township, NJ 08807,

BRECKENRIDGE PHARMACEUTICAL, INC.  
15 Massirio Drive, Suite 201  
Berlin, CT 06037,

CAMBER PHARMACEUTICALS, INC.  
1031 Centennial Ave  
Piscataway, NJ 08854,

CITRON PHARMA LLC n/k/a CEDAR PHARMA  
LLC  
2 Tower Center Boulevard, Suite 1101  
East Brunswick, NJ 08816,

DAVA PHARMACEUTICALS, INC.  
400 Kelby Street, Suite 77  
Fort Lee, NJ 07024,

*(caption continues on next page)*

DR. REDDY'S LABORATORIES INC.  
107 College Road East  
Princeton, NJ 08540,

EMCURE PHARMACEUTICALS, LTD.  
Emcure House  
T 184, M.I.D.C., Bhosari,  
Pune 411 026 India,

ENDO INTERNATIONAL PLC  
First Floor, Minerva House, Simmonscourt Road,  
Ballsbridge, Dublin 4, Ireland,

EPIC PHARMA, LLC  
227-15 N Conduit Avenue  
Laurelton, NY 11413,

FOUGERA PHARMACEUTICALS INC.  
60 Baylis Road  
Melville, NY 11747,

G&W LABORATORIES, INC.  
301 Helen Street,  
South Plainfield, NJ 07080,

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

GLENMARK PHARMACEUTICALS  
INC., USA  
750 Corporate Drive  
Mahwah, NJ 07430,

GREENSTONE LLC  
100 Route 206 North  
Peapack, NJ 07977,

HERITAGE PHARMACEUTICALS INC.  
12 Christopher Way, Suite 300  
Eatontown, NJ 07724,

*(caption continues on next page)*

HIKMA LABS, INC.  
246 Industrial Way West  
Eatontown, NJ 07724,

HIKMA PHARMACEUTICALS USA, INC. f/k/a  
WEST-WARD PHARMACEUTICALS CORP.  
246 Industrial Way West,  
Eatontown, NJ 07724,

HI-TECH PHARMACAL CO., INC.  
10 Edison Street East  
Amityville, NY 11701,

IMPAX LABORATORIES, LLC f/k/a IMPAX  
LABORATORIES, INC.  
31047 Genstar Road  
Hayward, CA 94544,

JUBILANT CADISTA PHARMACEUTICALS  
INC.  
207 Kiley Drive  
Salisbury, MD 21801,

KAVOD PHARMACEUTICALS LLC f/k/a  
RISING PHARMACEUTICALS, LLC f/k/a  
RISING PHARMACEUTICALS, INC.  
c/o AP Services, LLC  
1221 McKinney Street - Suite 3275  
Houston, TX 77010,

LANNETT COMPANY, INC.  
9000 State Road  
Philadelphia, PA 19136,

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 42<sup>nd</sup> 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, 3<sup>rd</sup> 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)		IS CASE SUBJECT TO COORDINATION ORDER? YES      NO	
		<b>FILED</b> <b>PRO PROTHY</b> <b>MAY 06 2020</b> <b>A. SILIGRINI</b>	
<b>TO THE PROTHONOTARY:</b> Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: <u>BLUE CROSS AND BLUE SHIELD OF NORTH CAROLINA , BLUE CROSS AND BLUE SHIE</u> 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.