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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

<i>In re K-Dur Antitrust Litigation</i> This document relates to: All Direct Purchaser Actions	Civil Action No. 01-cv-1652(SRC)(CLW) MDL Docket No. 1419
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**NOTICE OF MOTION IN SUPPORT OF DIRECT PURCHASER CLASS PLAINTIFFS’
UNOPPOSED MOTION FOR FINAL APPROVAL OF PROPOSED SETTLEMENT**

PLEASE TAKE NOTICE that on October 5, 2017, or at such other time convenient to the Court, Direct Purchaser Class Plaintiffs (“DPCPs”) shall move, pursuant to Federal Rule of Civil Procedure 23, for entry of the Final Approval Order (Exhibit C to the Settlement Agreement annexed to the Declaration of Bruce E. Gerstein, Dkt No. 1044-6) which provides for, *inter alia*:

- (a) Final approval by the Court of a proposed Settlement Agreement between DPC Plaintiffs and Defendants Merck & Co. (formerly known as Schering-Plough Corporation) and Upsher-Smith Laboratories (collectively, “Defendants”);
- (b) Approval of the proposed Plan of Distribution of the settlement to the class;

In support of this motion, DPCPs rely upon the accompanying Memorandum of Law and Declaration of Daniel C. Simons (and exhibits thereto).

Dated: August 21, 2017

Respectfully submitted,

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