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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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DECLARATION OF DANIEL C. SIMONS

I, Daniel C. Simons, declare as follows:

1. I serve as Senior Counsel at Berger & Montague, P.C., and submit this declaration in support of Direct Purchaser Class Plaintiffs' Motion for Final Approval of the proposed settlement in the action. I have first-hand knowledge of the following and could testify to the same if called as a witness.

2. Attached as **Exhibit 1** is a true and correct copy of the proposed Plan of Allocation for the Direct Purchaser Class.

3. Attached as **Exhibit 2** is a true and correct copy of the proposed form of Proof of Claim and Release.

4. Attached as **Exhibit 3** is a true and correct copy of the Declaration of Jeffrey J. Leitzinger, Ph.D. Related to Proposed Allocation Plan and Net Settlement Fund Allocation, dated August 21, 2017.

5. Attached as **Exhibit 4** is a true and correct copy of a letter from Chad Gielen on behalf of plaintiff Louisiana Wholesale Drug Co., Inc., dated August 15, 2017.

6. Attached as **Exhibit 5** is a true and correct copy of a letter from Robert J. Tucker on behalf of Cardinal Health, Inc., dated August 9, 2017.

7. Attached as **Exhibit 6** is a true and correct copy of a letter from David A. Schumacher on behalf of AmerisourceBergen Drug Corporation, dated August 7, 2017.

8. Attached as **Exhibit 7** is a true and correct copy of a letter from Steven Winick on behalf of McKesson Corp., dated August 21, 2017.

August 21, 2017

/s/ Daniel C. Simons
Daniel C. Simons