

**IN THE COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY, PENNSYLVANIA**

RAJESH PATEL, Individually and on Behalf
of All Others Similarly Situated,

Plaintiff,

v.

VIATRIS INC., PFIZER INC.,
MICHAEL GOETTLER,
SANJEEV NARULA, BRYAN SUPRAN,
MARGARET M. MADDEN,
DOUGLAS E. GIORDANO,
ROBERT J. COURY, IAN READ, and
JAMES KILTS,

Defendants.

) CIVIL DIVISION

) No. GD-21-13314

) **LEAD PLAINTIFF'S MOTION FOR
AUTHORIZATION TO DISTRIBUTE NET
SETTLEMENT FUND TO AUTHORIZED
CLAIMANTS**

) CLASS ACTION

) Filed on behalf of:

) PLAINTIFF RAJESH PATEL

) Counsel of Record for Plaintiff:

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[Additional counsel appear on signature page]

2. Pursuant to the Stipulation and Agreement of Settlement, dated January 18, 2024 (the “Stipulation”),¹ previously approved by the Court, Defendants have no interest in the relief sought by this motion. *See* Stipulation ¶2.3 (“The Settlement is non-recapture, i.e. it is not a claims-made settlement. Upon the occurrence of the Effective Date, no Defendant, Released Defendants’ Parties, or any other Person or entity who or which paid any portion of the Settlement Amount (including, without limitation, any Defendants’ insurance carriers), shall have any right to the return of the Settlement Fund or any portion thereof for any reason whatsoever.”); ¶4.4 (“The Released Defendants’ Parties shall have no role in, or any liability, obligation, or responsibility for . . . the administration of the Settlement, or the distribution of the Settlement Fund. . . . The Released Defendants’ Parties take no position as to the adequacy of the administration of claims in connection with the distribution of the Settlement Fund.”); ¶6.3 (“Defendants shall have no involvement in the solicitation or review of Proofs of Claim and shall have no involvement in the administration process itself, which shall be conducted by the Claims Administrator in accordance with this Stipulation, the Plan of Allocation, and any orders that may be entered by the Court.”).

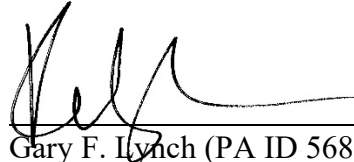
3. In support of this motion, Lead Plaintiff submits and files herewith: (i) Lead Plaintiff’s Memorandum of Law in Support of Motion for Authorization to Distribute Net Settlement Fund to Authorized Claimants; (ii) Declaration of Jack Ewashko in Support of Lead Plaintiff’s Motion for Authorization to Distribute the Net Settlement Fund, with annexed exhibits; and (iii) all other pleadings and matters of record and such additional evidence or argument as may be presented to the Court. A proposed Order is submitted herewith.

¹ All capitalized terms not otherwise defined herein have the same meanings as set forth in the Stipulation.

Dated: March 5, 2026

Respectfully submitted,

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2024, but on or before October 15, 2025, and determined by A.B. Data to be otherwise valid (“Late But Otherwise Eligible Claim Forms”), as identified in Exhibit E to the Distribution Declaration.

4. **Final Bar Date.** October 15, 2025 is established as the final bar date for claim submissions. No Claim Form received after October 15, 2025, and no Claim Form adjusted in response to a deficiency notice after October 15, 2025, shall be eligible for payment in the Initial Distribution of the Net Settlement Fund.

5. **Rejection of Claims.** The Court rejects the 298,727 Claim Forms identified in Exhibit F to the Distribution Declaration for the reasons stated therein.

6. **Approval of Distribution Plan.** The Court approves the Distribution Plan set forth in paragraphs 40-42 of the Distribution Declaration, which provides for, among other things: (i) an initial distribution (the “Initial Distribution”) of the Net Settlement Fund to all Authorized Claimants whose Claim Forms are valid and whose *pro rata* payment amounts meet or exceed \$10.00, calculated in accordance with the Court-approved Plan of Allocation; (ii) elimination from the Initial Distribution of any Authorized Claimant whose *pro rata* share of the Net Settlement Fund calculates to less than \$10.00, with such funds to be reallocated to remaining Authorized Claimants; (iii) distribution checks bearing the notation “DEPOSIT PROMPTLY; VOID AND SUBJECT TO REDISTRIBUTION IF NOT NEGOTIATED WITHIN 180 DAYS OF DISTRIBUTION,” with Authorized Claimants who fail to negotiate their checks within the time allotted irrevocably forfeiting all recovery from the Settlement; (iv) a second distribution (the “Second Distribution”) of any unclaimed amounts remaining in the Net Settlement Fund, to occur no earlier than six (6) months after the Initial Distribution, to be distributed to Authorized Claimants who cashed their Initial Distribution checks, if cost-effective to do so; (v) additional redistributions, subject to the same conditions, until Lead Counsel, in consultation with A.B. Data,

determines that further redistribution is not cost-effective; and (vi) contribution of any remaining balance that is not cost-effective to reallocate to the Pennsylvania Interest on Lawyers Trust Account Board, after payment of any unpaid fees and expenses incurred in administering the Settlement.

7. **Authorization to Distribute.** A.B. Data is authorized and directed to distribute the Net Settlement Fund to Authorized Claimants in accordance with the Distribution Plan approved herein and set forth in paragraphs 40-42 of the Distribution Declaration.

8. **Notice and Administration Expenses.** Lead Counsel is authorized to pay an additional \$877,410.00 in Notice and Administration Expenses to A.B. Data, as well as additional Notice and Administration Expenses to the extent more such expenses are incurred in connection with subsequent distributions of the Net Settlement Fund.

9. **Release and Discharge.** Payment pursuant to this Order shall be final and conclusive against all Authorized Claimants. All persons involved in the review, verification, calculation, tabulation, or any other aspect of the processing of the Claim Forms submitted in connection with the Settlement, or otherwise involved in the administration or taxation of the Settlement Fund or the Net Settlement Fund, are released and discharged from any and all claims arising out of such involvement, and all Class Members, whether or not they receive payment from the Net Settlement Fund, are barred from making any further claims against the Settlement Fund, the Net Settlement Fund, Lead Plaintiff, Lead Counsel, A.B. Data, or any other agent retained in connection with the administration or taxation of the Settlement Fund or the Net Settlement Fund.

10. **Destruction of Claim Materials.** Unless otherwise ordered by the Court, A.B. Data is authorized to destroy paper copies of Claim Forms and all supporting documentation one

year after the Initial Distribution, and to destroy electronic copies of the same one year after all funds have been distributed.

11. **Retention of Jurisdiction.** The Court retains jurisdiction over the administration of the Settlement and the distribution of the Net Settlement Fund and may issue such further orders as may be necessary or appropriate to implement the terms of this Order.

DATED: _____, 2026

HON. ALAN D. HERTZBERG

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing
LEAD PLAINTIFF'S MOTION FOR AUTHORIZATION TO DISTRIBUTE NET
SETTLEMENT FUND TO AUTHORIZED CLAIMANTS has been served on this 5th day of March,
2026 on all counsel of record via email to:


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