

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT
BUSINESS LITIGATION DEPARTMENT

LORI ASPINALL and THOMAS
GEANCOPOULOS, on Behalf of Themselves,
and All Others Similarly Situated,

Plaintiffs,

v.

PHILIP MORRIS COMPANIES, INC. and
PHILIP MORRIS, INC.,

Defendants.

Civil Action No. 98-6002-BLS1
(Judge Billings)

DECLARATION OF THOMAS M. SOBOL

I, Thomas M. Sobol, declare as follows:

1. I am a partner at the law firm of Hagens Berman Sobol Shapiro LLP ("HBSS").

I submit this declaration in support of Plaintiffs' motion for an award of attorneys' fees and reimbursement of expenses in connection with services rendered in prosecuting this action.

2. Attached hereto as Exhibit A is a true and correct copy of Hagens Berman Sobol Shapiro LLP's firm resume.

3. HBSS served as counsel for the certified class. HBSS has primarily been involved in the following specific activities:

- *Drafting Submissions:* HBSS participated in the research and drafting of several pre-trial submissions including multiple rounds of requests for admission, which served to establish the admissibility of documents used at trial, several requests for production pertaining to Massachusetts-specific discovery, and followed up with extensive meet and confers, negotiated pretrial scheduling orders, and briefing concerning the protocol for discovery from absent class members.
- *Document Review:* HBSS performed documentary discovery, drafting protocols and agreements, drafting and reviewing documents.
- *Experts:* HBSS participated in aspects of expert witness practice, including identifying and retaining liability experts, consulting with experts, and acting as liaison on report preparation.

- *Absent Class Member Depositions:* On November 22, 2005, the Court issued an order permitting Phillip Morris to take 25 depositions of absent class members. HBSS participated in drafting the agreed upon protocol for those depositions. HBSS also spent time preparing for and taking those depositions in various locations across the state. These depositions were eventually used by Phillip Morris and Plaintiff during trial.

4. The total number of hours expended by my firm from inception through May 2014 is 1293.6 hours. The total lodestar for my firm is \$579,792.50. The lodestar calculation is based on my firm's usual and customary hourly billing rates (using current billing rates). A summary of HBSS's hours and billing rate is provided below:

Name	Title	Billing Rate	Total Hours	Total Lodestar
Barker, Mike	Paralegal	\$150.00	20.75	\$3,112.50
Berman, Steve	Partner	\$800.00	19.5	\$15,600.00
Bruns, Cameron	Paralegal	\$150.00	71.0	\$10,650.00
Crusedean, John	Contract Attorney	\$300.00	32.5	\$9,750.00
Falcon, Linaris	Paralegal	\$150.00	20.75	\$3,112.50
Fimmel, Steve	Associate	\$400.00	38.2	\$15,280.00
Flexer, Carrie	Paralegal	\$190.00	6.0	\$1,140.00
Haegle, Robert	Paralegal	\$170.00	41.75	\$7,097.50
Hasselman, Lisa	Partner	\$550.00	77.75	\$42,762.50
Johnson, Kristen	Partner	\$350.00	46.0	\$16,450.00
Lang, Jeffrey	Associate	\$375.00	159.0	\$59,625.00
MacAuley, Jessica	Associate	\$300.00	199.5	\$59,850.00
Matt, Sean	Partner	\$600.00	2.0	\$1,200.00
Nalven, David	Partner	\$600.00	19.6	\$11,760.00
Sobol, Tom	Partner	\$700.00	30.85	\$21,595.00
Stayant-Browne, Nick	Associate	\$575.00	119.5	\$68,712.50
Vasicek, Andrew	Contract Attorney	\$345.00	5.0	\$1,725.00
Volk, Andrew	Partner	\$600.00	383.95	\$230,370.00
TOTAL:			1293.6	\$579,792.50

5. The hourly rates for the partners, attorneys and professional support staff included are the usual and customary current hourly rates charged for their services, which have been accepted and approved in other complex class action litigations. My office will provide a detailed summary of the contemporaneous, daily time records regularly prepared and maintained by my firm upon the Court's request.

6. The total expenses incurred by my firm from inception through October 30, 2015, are \$69,808.31. A summary of HBSS's expenses is provided below:

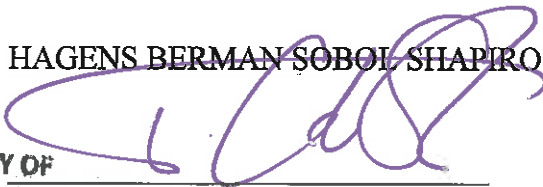
Activity	Total
Travel	\$4,125.99
Meals	\$20.51
Copies	\$9,355.50
Court Reporters	\$8,656.7
Expert Fees	\$44,845.25
Delivery & Postage	\$576.39
Research	\$929.76
Messenger	\$377.08
Court Fees	\$903.00
Telephone	\$18.13
TOTAL:	\$69,808.31

7. My office will provide detailed expense backup records upon the Court's request. The expenses incurred in this action are reflected on my firm's books and records, which are prepared from invoices, receipts, credit card bills, cancelled checks and wire transfer notices expense vouchers, check records, and other source materials, and represent an accurate recordation of the expenses incurred.

Date: July 26, 2016

HAGENS BERMAN SOBOL SHAPIRO LLP

I HEREBY CERTIFY THAT ON July 29, 2016 A TRUE COPY OF THE ABOVE DOCUMENT WAS SERVED UPON THE ATTORNEY OF RECORD FOR EACH OTHER PARTY BY MAIL-HAND-FAX-EMAIL



Thomas M. Sobol





HAGENS BERMAN

ATTORNEYS AT LAW

HAGENS BERMAN SOBOL SHAPIRO LLP
55 CAMBRIDGE PARKWAY, SUITE 301
CAMBRIDGE, MA 02142
www.hbsslaw.com

HAGENS BERMAN SOBOL SHAPIRO LLP – BOSTON OFFICE

THE CASES

HBSS aggressively pursues pharmaceutical pricing litigation, helping lead the litigation fight for more affordable prescription drugs and for a more responsible pharmaceutical and medical device industry. HBSS works with consumers, for-profit and not-for-profit health insurers, consumer organizations, state Attorneys General, third-party payers, drug wholesalers and retailers, and other purchasers. Our pursuit of pharmaceutical manufacturer misconduct has resulted in recoveries to prescription drug purchasers well in excess of one billion dollars, and has yielded industry-wide, fundamental price changes.

HBSS's Recent Resolutions

HBSS – as lead or co-lead class counsel – has brought about significant settlements in several antitrust and RICO class cases involving prescription drugs. In most cases, the plaintiffs alleged that a manufacturer of a brand-name drug violated federal or state laws by either delaying its generic competitors from coming to market (thereby forcing purchasers of prescription drugs to buy the more expensive brand instead of the less expensive generic equivalent) or misrepresenting the safety and efficacy of a drug (thereby causing payers to pay more for the drug than they would have otherwise). These resolutions include:

- **\$98 Million Recovery in Antitrust Action Concerning Prograf**

In May 2015, the Honorable Rya Zobel, of the United States District Court in Massachusetts, approved a \$98 million class settlement for direct purchasers in the Prograf antitrust MDL. The direct purchaser class plaintiffs alleged Astellas submitted a sham petition to the FDA to delay approval of generic versions of the immunosuppressant Prograf.

In re Prograf Antitrust Litigation, D. Mass., MDL No. 2242.

- **\$325 Million Proposed Recovery for Third Party Payers for Neurontin Marketing Fraud**

In November 2014, the Honorable Patricia Saris, of the United States District Court in Massachusetts, approved a \$325 million class-wide settlement for third party payers. HBSS served as liaison counsel and a member of the Plaintiffs' Steering Committee.

In re Neurontin Marketing, Sales Practices, and Products Liability Litigation, D. Mass., MDL No. 1629.

- **\$73 Million Recovery in Antitrust Action Concerning Skelaxin**

In September 2014, the Honorable Curtis Collier, of the United States District Court in the Eastern District of Tennessee, approved a \$73 million settlement for the direct purchaser class. HBSS served as court-appointed sole lead class counsel for the direct purchaser class.

In re Skelaxin (Metaxalone) Antitrust Litigation, E.D. Tenn., Civil Action No. 12-md-2343.

- **\$189 Million Bankruptcy Resolution for contaminated MPA made by New England Compounding Company**

On May 20, 2015, The Honorable Henry J. Boroff of the United States Bankruptcy Court for the District of Massachusetts confirmed a Chapter 11 plan for NECC that included tort settlements totaling more than \$189 million in contributions from NECC's owners, affiliate companies, vendors, and their insurers, as well as several independent clinics, hospitals, doctor's offices, and their respective insurers (for having administered the contaminated injections compounded by NECC). HBSS serves as court-appointed lead counsel in the MDL, where litigation against other clinics, hospitals, and doctors in the MDL is ongoing.

In re New England Compounding Pharmacy, Inc., D. Mass., MDL No. 2419.; *In re New England Compounding Pharmacy, Inc. (Chapter 11)*, Bankr. D. Mass., 12-br-19882-HJB.

- **\$150 Million Recovery in Antitrust Action Concerning Flonase**

In June 2013, the Honorable Anita Brody, of the United States District Court in the Eastern District of Pennsylvania, approved a \$150 million settlement on behalf of direct purchasers who bought the nasal spray Flonase from the defendant, GlaxoSmithKline. The plaintiffs alleged that Glaxo submitted a sham citizen petition to the FDA that, intentionally and actually, delayed the approval of generic versions of Flonase. HBSS served as court appointed co-lead class counsel for the direct purchaser class.

In re Flonase Antitrust Litigation, E.D. Pa., Civil Action No. 08-cv-3149.

- **\$21.5 Million Recovery in Antitrust Action Concerning Wellbutrin SR**

In June 2013, the Honorable Lawrence Stengel, of the United States District Court in the Eastern District of Pennsylvania, approved a \$21.5 million settlement on behalf of end payers who bought the antidepressant Wellbutrin SR from defendant GlaxoSmithKline. The plaintiffs alleged Glaxo unlawfully extended its monopoly over the market for Wellbutrin SR by filing baseless patent infringement suits against multiple generic manufacturers legitimately seeking to market less expensive versions of these drugs. HBSS served as court appointed co-lead class counsel for the end payer class.

In re Wellbutrin SR Antitrust Litigation, E.D. Pa., Civil Action No. 04-cv-5898.

- **\$37.5 Million Partial Settlement in Antitrust Action Concerning Wellbutrin XL**

In November 2012, Judge Mary McLaughlin, United States District Court in the Eastern District of Pennsylvania, approved a \$37.5 million settlement with defendant Biovail on behalf of direct purchasers who bought the antidepressant Wellbutrin XL from defendant GlaxoSmithKline. Litigation against defendant GlaxoSmithKline is ongoing; HBSS continues to serve as court appointed co-lead class counsel for the direct purchaser class.

In re Wellbutrin XL Antitrust Litigation, E.D. Pa., Civil Action No. 08-cv-02431.

- **\$41.5 Million Settlement for Consumers and TPPs for Vytorin/Zetia Fraud**

In February 2010, the Honorable Dennis M. Cavanaugh granted final approval of a \$41.5 million settlement on behalf of consumers and third party payers who alleged Merck & Co. and Schering-Plough Corporation suppressed critical information about the safety and efficacy of the brand name drugs Vytorin and Zetia. Defendants' fraudulent behavior caused consumers and third party payers to pay for unnecessary prescriptions of these expensive drugs.

In Re: Vytorin/Zetia Marketing, Sales Practices and Products Liability Litigation, D.N.J., MDL No. 193.

- **\$25 Million for the State of Connecticut for Zyprexa Fraud**

In October 2009, the Honorable Jack B. Weinstein entered an Order for Entry of Final Judgment in *State of Connecticut v. Eli Lilly and Co.*, approving the \$25 million settlement reached by the parties to conclude the State's Zyprexa litigation. HBSS served as outside counsel to Attorney General Richard Blumenthal in the litigation that alleged Lilly engaged in unlawful off-label promotion of the atypical antipsychotic Zyprexa and made significant misrepresentations about Zyprexa's safety and efficacy, resulting in millions of dollars in excess pharmaceutical costs borne by the State and its taxpayers.

State of Connecticut v. Eli Lilly & Co., E.D.N.Y., Civil Action No. 08-cv-955-JBW.

- **\$65.7 Million Recovery in Antitrust Action Concerning Tricor**

In October 2009, Chief Judge Sue Robinson of the District of Delaware approved a \$65.7 million recovery for consumers and third party payers who sued Abbott Laboratories and Fournier Industries in an antitrust action concerning the cholesterol drug Tricor. Plaintiffs alleged Abbott and Fournier manipulated the statutory framework regulating the market for pharmaceuticals by instituting baseless patent litigation against generic manufacturers, and manipulative switching of dosage strengths and forms, which resulted in delayed entry of generics and thus lower prices into the market. HBSS served as court appointed co-lead class counsel.

In re Tricor Indirect Purchaser Antitrust Litigation, D. Del., Civil Action No. 05-cv-360.

- **\$80 Million Settlement in TPP Action Concerning Vioxx**

HBSS served as court appointed lead counsel for third party payers in the Vioxx MDL, alleging Merck and Company, Inc. launched misleading marketing campaigns for the drug, misleading physicians, consumers, and health benefit providers it touting Vioxx as a superior product to other non-steroidal anti-inflammatory drugs when the drug had no appreciable differences from less expensive medications but did have an increased risk of causing cardiovascular events. HBSS negotiated a \$65 million non-class settlement, entered into on September 14, 2009, between Merck and scores of individually represented third party payers, along with a \$15 million fund for payment of common benefit fees.

In re Vioxx Products Liability Litigation, E.D. La., MDL No.1657.

- **\$350 Million for Consumers and Third Party Payers in RICO Action Against McKesson**

In August 2009, the Honorable Patti B. Saris approved a \$350 million nationwide settlement with McKesson Corporation on behalf of consumers and health plans for McKesson's role in misreporting the average wholesale price of prescription drugs. HBSS served as lead class counsel.

New England Carpenters Health Benefits Fund et al v. First DataBank, Inc. and McKesson Corp., D. Mass., Civil Action No. 05-cv-11148-PBS.

- **\$142 Million Civil RICO Jury Verdict in Massachusetts Over Neurontin**

In March 2009, following a four-and-a-half week trial and two days of deliberations, a jury in the United States District Court for Massachusetts returned a \$142 million RICO verdict against Pfizer, Warner Lambert, and Parke Davis in a suit related to Pfizer's fraudulent and unlawful promotion of the drug Neurontin. The jury also found, in an advisory capacity, that Defendants violated the California Unfair Competition Law. HBSS played a pivotal role in preparing the case for trial and served as co-lead trial counsel for Plaintiffs Kaiser Foundation Health Plans and Kaiser Foundation Hospitals.

Kaiser Foundation Health Plan, et al v. Pfizer, Inc., et al, D.Mass., Civil Action No. 04-cv-10739 (PBS).

- **The Major First Databank Price Rollback**

On September 4, 2009, the First Circuit Court of Appeals affirmed a settlement between plaintiff health benefit plans and consumers in a class action against defendants First DataBank, Inc. ("FDB") and Medi-Span, two leading drug pricing publishers, that resulted in a rollback of benchmark prices of some of the most common prescription medications and is saving consumers and other purchasers hundreds of millions of dollars. The settlement stems from a 2005 class action lawsuit brought on behalf of health benefit plans and consumers against FDB and McKesson Corporation, a large pharmaceutical wholesaler. Plaintiffs claimed that beginning in 2001, FDB and McKesson secretly agreed to raise the markup between the Wholesale Acquisition Cost ("WAC") and the Average Wholesale Price ("AWP") from 20 to 25 percent for more than 400 drugs, resulting in higher profits for retail

pharmacies at the expense of consumers and payers. HBSS served as court appointed lead class counsel.

On June 6, 2007, the Honorable Patti B. Saris preliminarily approved a settlement between the parties whereby FDB agreed to roll back pricing by five basis points, from 1.25 to 1.20, on the drugs included in the lawsuit as well as hundreds of other drugs, which should create cost-savings on a much broader range of prescription medications. Associations representing pharmacies and pharmacy benefit managers fought the proposed rollback before federal trial and appellate courts, claiming either that small pharmacies would be put out of business through implementation of the rollback or that the savings to health plans and consumers would not be enough to justify the settlement. The courts rejected these claims and the First Circuit Court of Appeals affirmed the settlement.

New England Carpenters Health Benefits Fund et al v. First DataBank, Inc. and McKesson Corp., D. Mass., Civil Action No. 05-cv-11148-PBS; *District Council 37 Health and Security Plan et al v. Medi-Span*, D. Mass., Civil Action No. 07-cv-10988-PBS.

- **Over \$250 Million in Settlements with Several Drug Companies for Artificially Inflating AWP**

In 2007, the Honorable Patricia Saris, of the United States District Court in Massachusetts, presided over a six week trial that culminated in a series of multimillion dollar settlements, including settlements of \$125 million, \$75 million, \$22.5 million, and \$12 million. HBSS served as liaison counsel and co-lead counsel in this litigation alleging systemic abuse through artificial inflation of the so-called “average wholesale price” or “AWP” that is used as a benchmark for almost all prescription drug sales in the United States.

In Re: Pharmaceutical Industry Average Wholesale Price Litigation, D.Mass., MDL No. 1456.

- **\$75 Million Recovery in Antitrust Action Concerning Relafen**

In 2005, the Honorable Judge Young, of the United States District Court of Massachusetts, approved a \$75 million settlement on behalf of a class of drug end-payers of the painkiller Relafen. Mr. Sobol was court-appointed liaison counsel, spearheading litigation against GlaxoSmithKline Corporation and its predecessors on allegations that GSK fraudulently obtained a patent to prevent a generic version of Relafen from coming to market.

In re Relafen Antitrust Litigation, D. Mass., Master File No. 01-12239-WGY.

- **\$150 Million Recovery in Antitrust Action Concerning Paxil**

In 2004, HBSS served as co-lead counsel in the \$150 million resolution of claims on behalf of direct purchasers of the “blockbuster” selective serotonin reuptake inhibitor Paxil, manufactured by GlaxoSmithKline. The suit alleged that Glaxo engaged in sham litigation with respect to certain patents in an effort to delay competition from the entry of a generic form of the drug.

In re Paxil Direct Purchaser Litigation, E.D. Pa., Civil Action No. 03-4578.

- **\$29 Million Settlement Against GSK for Antibiotic Augmentin**

In 2004, HBSS was court-appointed co-lead counsel HBSS announced a proposed settlement of \$29 million on behalf of consumers and other payers of the broad spectrum antibiotic Augmentin. HBSS served as court appointed co-lead counsel in this antitrust litigation against Glaxo SmithKline Corporation and its predecessors alleging that GSK engaged in a pattern and practice of sham litigation and fraudulent procurement of a patent relating to Augmentin.

In Re: Augmentin Antitrust Litigation, D.E.Va., Civil Action No. 2:02-cv-442.

- **\$24 Million Recovery in Fraud Action Concerning Serostim**

In 2004, HBSS announced a \$24 million settlement, negotiated by HBSS, that reimbursed a class of consumers and third party payers, including self-insured employers, health and welfare plans, and insurance companies, for part or all of their purchases of the AIDS drug Serostim. The underlying litigation alleged that Serono, Inc., a global biotechnology company, implemented a scheme to substantially increase the sales of Serostim by duping patients diagnosed with HIV into believing they were suffering from AIDS-wasting and required use of the drug. HBSS served as court appointed co-lead class counsel.

Government Employees Hospital Association v. Serono, D. Mass., Civil Action No. 05-cv-11953.

- **\$150 Million Settlement for Consumers and TPPs for Purchases of Lupron**

In December 2004, HBSS announced a proposed resolution on behalf of consumers and third-party payers of Lupron in late 2004, in the amount of \$150 million. The litigation alleged widespread fraudulent marketing and sales practices against TAP Pharmaceuticals, a joint venture between Abbott Laboratories and Takeda Pharmaceuticals, Inc., and followed TAP's agreement to pay \$875 million in combined criminal and civil penalties regarding marketing and sales practices for the prostate cancer drug Lupron. HBSS served as court appointed co-lead and liaison counsel.

In Re: Lupron Marketing and Sales Practices Litigation, D. Mass., MDL No. 1430.

Examples of Current Matters

The following limited examples show existing antitrust and other pharmaceutical matters in which HBSS currently play lead roles:

- **Ranbaxy ANDA Fraud and Antitrust Litigation**

HBSS is counsel for plaintiff Meijer, Inc. and has moved to be appointed co-lead counsel for the proposed direct purchaser class. The complaint alleges that Ranbaxy, one of the largest generic drug makers in the world, misled the FDA as to the state of its manufacturing plants in India and compliance with good manufacturing procedures, affecting at least two products

(generic Valcyte and generic Diovan) it produced at those facilities. This deceit, the complaint alleges, enabled Ranbaxy to wrongfully obtain tentative FDA approval, locking in very valuable regulatory exclusivities, and delaying the availability of safe, affordable medications. On June 16, 2016, the Honorable M. Page Kelley recommended that defendants' motion to dismiss be denied. The parties submitted a proposed schedule for briefing objections to the recommendation.

Meijer, Inc. v. Ranbaxy Inc., D. Mass., 15-cv-11828.

- **Gleevec Antitrust Litigation**

HBSS is counsel for a proposed class of end payers who purchased the oncology drug Gleevec. The plaintiffs allege that Novartis listed invalid follow-on patents in the FDA's Orange Book, frivolously sued (belatedly) first-inline generic Sun for infringing one of those patents, and extracted from Sun a promise not to launch its generic for seven extra months beyond the compound patent's expiration in the guise of settling the bogus infringement lawsuit. The plaintiffs originally sought injunctive relief, to prevent Novartis from enforcing the terms of its agreement with Sun. The amended complaint added claims for damages. The parties are currently briefing Novartis's motion to dismiss.

United Food and Commercial Workers Unions and Employers Midwest Health Benefits Fund v. Novartis Pharmaceuticals Corp., D. Mass., 15-cv-12732.

- **Avandia Marketing, Sales Practices and Products Liability Litigation**

HBSS serves as co-lead class counsel in this third party payor MDL in Philadelphia before the Honorable Cynthia Rufe. The plaintiffs allege that GlaxoSmithKline deliberately concealed the significant health and safety risk of the antidiabetic drug Avandia. The plaintiffs allege that this concealment allowed GSK to build Avandia into a blockbuster success, and that but for GSK's fraudulent marketing efforts, third party payors would have paid for far less expensive diabetes drugs and for far fewer prescriptions of Avandia. The parties are currently briefing GSK's motion for summary judgment on the grounds of federal preemption.

In re Avandia Marketing, Sales Practices and Products Liability Litigation, E.D. Pa., MDL No. 1871.

- **Niaspan Antitrust Litigation**

HBSS serves as court appointed co-lead class counsel in this direct purchaser antitrust MDL in Philadelphia. The plaintiffs allege AbbVie and Teva (and their predecessors) violated federal antitrust laws by entering into an unlawful reverse payment agreement to keep generic Niaspan off the market for up to eight years. The Honorable Jan Dubois denied the defendants' Rule 12(b)(6) motion and discovery is underway.

In re Niaspan Antitrust Litigation, E.D. Pa., MDL No. 2460.

- **Suboxone Antitrust Litigation**

HBSS serves as one of three co-leads in this direct purchaser antitrust case against Reckitt-Benckiser, alleging the company violated federal antitrust laws through a variety of efforts that purposefully and successfully delayed generic competition for Suboxone. Fact discovery is currently set to close in the fall of 2016.

In re Suboxone Antitrust Litigation, E.D. Pa., MDL No. 2445.

- **Nexium Antitrust MDL**

HBSS serves as co-lead counsel in this direct purchaser class case against Astra Zeneca involving the \$5 billion per year blockbuster drug Nexium and alleging unlawful reverse payment agreements (including consideration with respect to other disputes and products) with three generic manufacturers to delay generic entry for several years. The case followed an aggressive track since it was transferred to Judge Young in Boston in August 2012. In late 2014, HBSS served as co-lead trial counsel in a seven week trial. The jury returned an odd verdict, finding for the plaintiffs on liability but disputing that the parties would have agreed to an earlier entry date for generic Nexium. Judge Young denied post-trial motions for a new trial and injunctive relief, in a 97-page opinion that admits many errors. An appeal is pending before the First Circuit.

In re Nexium (Esomeprazole Magnesium) Antitrust Litigation, D. Mass., MDL No. 2409.

- **Solodyn Antitrust Litigation**

HBSS serves as co-lead class counsel in this direct purchaser antitrust case against brand name manufacturer Medicis and multiple generic manufacturers of Solodyn, alleging the defendants violated federal antitrust laws with unlawful reverse payment agreements and other acts designed to delay generic Solodyn. In November, 2015, the district court denied in part and granted in part the defendants' motion to dismiss. The parties are currently engaged in fact discovery.

In re Solodyn Antitrust Litigation, D. Mass., MDL No. 2503.

- **Aggrenox Antitrust Litigation**

HBSS serves as on the three-member Executive Committee on behalf of the direct purchaser class proceeding in the District of Connecticut. The complaint alleges that brand manufacturer entered into an unlawful reverse-payment agreement with generic manufacturer Teva in order to delay market availability of generic formulations of Aggrenox. Defendants' motion to dismiss was denied and discovery is underway.

In re Aggrenox Antitrust Litigation, D. Conn., MDL No. 2516.

- **Lidoderm Antitrust Litigation**

HBSS serves as co-lead counsel in this action on behalf of the direct purchaser class challenging a reverse payment agreement between Endo Pharmaceuticals and Actavis for delay of more than one year of generic competition for Lidoderm, a blockbuster lidocaine topical patch used to treat pain. The case is proceeding in the Northern District of California. Discovery is concluded and class certification briefing is underway.

In re Lidoderm Antitrust Litigation, N.D. Ca., MDL No. 2521.

- **Celebrex Antitrust Litigation**

HBSS is sole lead counsel for the proposed direct purchaser class in this antitrust case pending in the Eastern District of Virginia. The case alleges that Pfizer asserted a bogus patent in sham litigation against companies trying to bring generic versions of Celebrex to market. The Federal Circuit upheld the district court's holding that the challenged patent was invalid. The district court denied the defendant's motion to dismiss plaintiffs' antitrust case. The parties are head-long into discovery, with class certification set for late this year and summary judgment in the spring of 2017..

American Sales Co. LLC v. Pfizer, Inc., E.D. Va. (Norfolk Division) 14-cv-00361.

- **Androgel Antitrust Litigation**

HBSS serves as one of two co-lead class counsel for the indirect purchaser class in this case pending in the Northern District of Georgia against Unimed (now Abbvie) concerning the hormone replacement gel AndroGel. Plaintiffs allege Orange Book manipulation, sham litigation, and anticompetitive agreements with generic manufacturers delayed generic entry. Sales over the class period exceeded \$1 billion. In mid-2012, the court entered summary judgment against plaintiffs in all the cases (directs, direct opt-outs and indirects) on the sham litigation theory. The case is currently in discovery on the reverse payment agreement claims in light of the Supreme Court's decision in *Actavis* (which arose from an appeal from this MDL).

In re Androgel Antitrust Litigation, N.D. Ga., MDL No. 2084.

- **Effexor Antitrust Litigation**

HBSS serves as co-lead counsel in this action against drug manufacturer Wyeth and generic manufacturer Teva. Plaintiffs allege that defendants delayed market entry of generic versions of Effexor XR through the fraudulent procurement of patents for Effexor XR, the listing of those patents in the FDA Orange Book, and entering into reverse payment settlements with generic manufacturers. The case is pending in the District of New Jersey. Following the Supreme Court's ruling in *Actavis*, the court decided Defendants' motion to dismiss, dismissing Plaintiffs' reverse payment claims but allowing the patent fraud claims to go forward. On the patent fraud claim, the plaintiffs are continuing to evaluate the documents produced to date by Wyeth. On the reverse payment claim, the plaintiffs moved for reconsideration/leave to amend the complaint, and in the alternative for a Rule 54(b)/1292(b) order allowing an immediate appeal. The Court entered a Rule 54(b) Order on

January 20, 2015 and plaintiffs filed an appeal to the Third Circuit. The defendants filed a motion to transfer the appeal to the Federal Circuit, which was denied without prejudice on April 6, 2015. Briefing on the appeal is completed, and the parties are awaiting an argument date in the fall of 2016.

In re Effexor Antitrust Litigation, D.N.J., 11-cv-5479.

- **Lipitor Antitrust Litigation**

HBSS serves as co-lead counsel in this action alleging drug manufacturer Pfizer delayed market entry of generic versions of the cholesterol drug Lipitor. Plaintiffs allege Pfizer accomplished the generic block by fraudulently procuring a follow-on patent for Lipitor and listing that patent in the FDA Orange Book, and entering into reverse payment settlements with generic manufacturers. The case is pending in the District of New Jersey. Following the Supreme Court's ruling in *Actavis*, the court decided the defendants' motion to dismiss, dismissing the plaintiffs' patent fraud claims and directing the plaintiffs to file an amended complaint with respect to their reverse payment claims. In September 2014, the court dismissed the amended reverse payment claims. In October 2014, the plaintiffs simultaneously moved to amend the complaint and filed a notice of appeal to the Third Circuit. In November 2014, the court heard argument on the motion to amend and, at the close of the hearing, urged the parties to enter into mediation, staying further proceedings. Mediation took place in February of this year but, unsurprisingly, went nowhere. In March 2015, the court denied the plaintiffs' motion to amend. Plaintiffs' filed an amended notice of appeal to the Third Circuit. Briefing on the appeal is completed, and the parties are awaiting an argument date in the fall of 2016.

In re Lipitor Antitrust Litigation, D. N.J., MDL No. 2332.

- **Loestrin Antitrust Litigation**

HBSS serves as co-lead class counsel in this direct purchaser case pending in the District of Rhode Island. Plaintiffs allege delayed generic entry of the prescription oral contraceptive Loestrin 24 due to sham litigation and product hopping. On February 22, 2016 the First Circuit reversed, holding that the alleged no-AG promise stated an actionable antitrust claim under *Actavis*. Plaintiffs then amended their complaints. A second round of motion to dismiss briefing and pre-discovery negotiations over search terms and ESI are ongoing.

In re Loestrin Antitrust Litigation, D. R.I., 13-md-2472.

- **New England Compounding Personal Injury Litigation**

As court-appointed Lead Counsel for the Plaintiffs' Steering Committee in MDL 2419, *In Re New England Compounding Pharmacy, Inc. Prods. Liab. Litig.*, 13-md-2419-RWZ (D. Mass.), Thomas M. Sobol, Kristen A. Johnson, and the HBSS Boston office have and continue to actively pursue recovery for victims of the fungal meningitis outbreak caused by three contaminated lots of steroid injections produced by the Framingham, Massachusetts compounder, New England Compounding Pharmacy, Inc. d/b/a New England Compounding Company (NECC). In addition to the bankruptcy-based resolution described above, litigation against other clinics, hospitals, and doctors is ongoing in the MDL.

In re New England Compounding Pharmacy, Inc. Products Liability Litigation, D. Mass., MDL No. 2419.

• THE LAWYERS

Thomas M. Sobol

Thomas M. Sobol has been the Managing Partner of Hagens Berman Sobol Shapiro's Boston office since 2002. He has almost thirty-five years of experience in complex civil litigation. His practice focuses on pharmaceutical and medical device litigation for consumer classes, large and small health plans, individuals, and state governments.

Mr. Sobol currently leads drug pricing litigation efforts against numerous pharmaceutical and medical device companies in order to remedy overcharges to consumers and health plans that pay for brand name and generic drugs and defective medical devices. In recent years, Mr. Sobol has been a lead negotiator in court-approved settlements totaling well over one billion dollars. He currently is one of the court-appointed lead counsel in numerous such matters, including *In re Nexium Antitrust Litigation*, *In re Lipitor Antitrust Litigation*, *In re Effexor Antitrust Litigation*, and *In re Wellbutrin XL Antitrust Litigation*.

Mr. Sobol was recently appointed lead counsel in MDL No. 2149: *In re New England Compounding Pharmacy Litigation Multidistrict Litigation*, representing more than 700 victims who contracted fungal meningitis or suffered other serious health problems as a result of receiving contaminated products produced by NECC.

In addition, Mr. Sobol serves as lead counsel to the Prescription Access Litigation (PAL) project, the largest coalition of health care advocacy groups that are joined together to fight illegal, loophole-based overpricing by pharmaceutical companies. PAL has approximately 100 organizational members in more than 30 states.

Mr. Sobol's recent successes include settlements in the Flonase direct purchaser litigation (\$150 million), Wellbutrin XL direct purchaser litigation (\$37.5 million), First Databank litigation (resulting in a 4% price reduction of all retail drugs), McKesson litigation (\$350 million), Zyprexa litigation on behalf of the State of Connecticut (\$25 million), Vytarin third party payer litigation (\$47 million), Vioxx third party payer litigation (\$80 million), and Paxil direct purchaser litigation (\$100 million). Mr. Sobol was also co-lead trial counsel in the Neurontin MDL, where the jury returned a \$142 million RICO verdict.

In the 1990s, Mr. Sobol served as Special Assistant Attorney General for the Commonwealth of Massachusetts and the states of New Hampshire and Rhode Island, and served as one of the private counsel for Massachusetts and New Hampshire in ground breaking litigation against the tobacco industry. These cases led to significant injunctive relief and to monetary recovery in excess of \$10 billion to those states. Mr. Sobol practiced at the Boston firm of Brown Rudnick for about seventeen years, where he was a litigation partner for a decade.

Mr. Sobol served as judicial clerk for then-Chief Justice Allan M. Hale of the Massachusetts Appeals Court from 1983 to 1984.

Mr. Sobol is a member of the bar of Massachusetts and has been appointed pro hac vice in

July 2016

numerous federal courts across the country. He graduated *summa cum laude* from Clark University in Worcester, Massachusetts in 1980 and was elected to Phi Beta Kappa in 1979. Mr. Sobol graduated *cum laude* from Boston University School of Law in 1983.

David S. Nalven

David Nalven has been a partner in Hagens Berman Sobol Shapiro's Boston office since 2004. His practice focuses on prosecution of federal and multi-state class actions involving the pharmaceutical and medical device industries.

Mr. Nalven has extensive experience in the prosecution of antitrust, fraudulent marketing, and unfair pricing claims against manufacturers of pharmaceutical products and medical devices, representing prescription drug wholesalers and retailers, health insurers, and consumers in these matters. Mr. Nalven has served in leadership roles in nationwide antitrust class actions against the manufacturers of Ovcon 35, OxyContin, Tricor, Wellbutrin XL, Toprol XL, Norvir, Doryx, Prograf, Nexium, Lidoderm, Aggrenox, and others. Mr. Nalven also has prosecuted fraudulent marketing class actions against the manufacturers of Serostim, Nexium, Actimmune, and Zyprexa, as well as substantial matters against medical device manufacturers DePuy Spine, Inc. and Becton Dickinson. Mr. Nalven also has worked extensively on the nationwide Average Wholesale Price Litigation and in the representation of the State of Connecticut in multiple prescription drug pricing matters.

Prior to joining the firm, Mr. Nalven served as Chief of the Business and Labor Protection Bureau in the Massachusetts Attorney General's Office, where he oversaw a staff of more than 100 on all cases and initiatives involving healthcare fraud, insurance fraud, workplace offenses, and other civil and criminal business matters. Mr. Nalven also advised the Attorney General on securities litigation matters and served as liaison between the AG's Office and the Commonwealth's Pension Reserve Investment Management Board.

Mr. Nalven graduated *magna cum laude* from University of Pennsylvania in 1980 with a degree in English, and from New York University School of Law in 1985, where he was Senior Research Editor of the *Annual Survey of American Law*. After law school, Mr. Nalven served as a law clerk to the Hon. John R. Gibson of the United States Court of Appeals for the Eighth Circuit. Mr. Nalven is admitted to practice in Massachusetts and New York.

Lauren Guth Barnes

Lauren Guth Barnes is a partner in Hagens Berman Sobol Shapiro's Boston office, where she has worked since 2003. Her practice focuses on antitrust, consumer protection, and RICO litigation against drug and medical device manufacturers, in complex class actions and personal injury cases for consumers, large and small health plans, direct purchasers, and state governments.

Although active in a number of cases, Ms. Barnes is co-lead class counsel for direct purchasers in MDL No. 2460: *In re. Niaspan Antitrust Litigation* and MDL No. 2503: *In re. Solodyn Antitrust Litigation* and represents direct purchasers in numerous other matters, including the *Skelaxin* and *Suboxone* MDLs. At the same time, Ms. Barnes currently represents health benefit providers in the firm's Ketek class litigation, and individuals harmed by pharmaceuticals such as Yaz, Actos, and Granuflo and medical devices including pelvic mesh. Ms. Barnes served as the primary contact for day-to-day operations in the *State of Connecticut v. Eli Lilly and Co. Zyprexa* litigation, shepherding the case through discovery and summary judgment briefing before reaching a \$25 million settlement for the State. She also worked as pro bono counsel in a successful constitutional challenge to the Commonwealth of Massachusetts' exclusion of legal immigrants from the state's universal healthcare program.

Ms. Barnes has been active in the fight against federal preemption of consumer rights and forced arbitration, working to ensure consumers maintain an ability to seek remedies when companies violate the law. She co-authored an *amicus* brief to the Supreme Court in *Pliva v. Mensing* on federal preemption on behalf of practitioners and professors who teach and write on various aspects of pharmaceutical regulation and the delivery of healthcare and spoken on preemption and forced arbitration in a variety of settings.

Prior to joining the firm, Ms. Barnes worked with Conflict Management Group, a non-profit organization dedicated to promoting peaceful resolution of international disputes and teaching negotiation skills. While there, Ms. Barnes worked with members of the United Nations High Commissioner for Refugees on a pilot project in Bosnia-Herzegovina designed to ease tensions and encourage reconciliation in post-conflict societies and contributed to *Imagine Coexistence*, a book developed out of the collaboration.

Ms. Barnes graduated *cum laude* from Williams College in 1998 with a Bachelor of Arts degree in International Relations. She earned her law degree *cum laude* from Boston College Law School in 2005, where she served as Articles Editor for the Boston College Law Review. She is admitted to practice law in the Commonwealth of Massachusetts, District of Massachusetts, Second and Eleventh Circuit Courts of Appeals, and the United States Supreme Court.

Ms. Barnes is active in the American Association for Justice, where she serves on the Executive Committee and Board of Governors, is a past chair of the Women Trial Lawyers Caucus and of the Class Action Litigation Group, and is a chair or member of several other committees. She serves on the Board of Governors of the Massachusetts Academy of Trial Attorneys and is co-chair of that organization's Women's Caucus. Ms. Barnes was recently honored with a 2014 Boston Rising Star award by The National Law Journal, recognizing the top 40 lawyers under 40 years of age in Massachusetts and Connecticut, and a 2013 Excellence in the Law Up & Coming

Lawyer award by the Massachusetts Bar Association and Mass Lawyers Weekly. In 2014, Ms. Barnes joined the Board of Directors of On The Rise, a Cambridge-based nonprofit providing safety, community, and advocacy for homeless women and women in crisis.

Kristen A. Johnson

Kristen A. Johnson is a partner in Hagens Berman Sobol Shapiro LLP's Boston office. She combats waste, fraud, and abuse in the healthcare industry. Ms. Johnson enjoys trying cases, writing briefs, and working closely with experts; she focuses on explaining complex cases and technical issues in simple and persuasive terms.

Ms. Johnson was instrumental in the \$350 million settlement on behalf of third party payers in the Neurontin marketing litigation, as well as the recent Prograf (\$98 million), Flonase (\$150 million), and Wellbutrin XL (\$37.5 million partial settlement) antitrust settlements.

Ms. Johnson is court appointed alternate lead counsel in the *In re New England Compounding Pharmacy Litigation Multidistrict Litigation* (D. Mass., MDL 2419). During the nascent stages of the MDL, Ms. Johnson was personally appointed liaison counsel to speak for the at least 751 victims who contracted fungal meningitis or suffered other serious health problems as a result of receiving contaminated products produced by NECC. A proposed Chapter 11 Plan of reorganization includes estimated contributions of about \$200 million which, after fees and expenses, will benefit tort victims.

Ms. Johnson was one of four attorneys who presented or cross examined witnesses for the plaintiffs during the 2014 *Nexium Antitrust* trial.

In 2014, the National Law Journal honored Ms. Johnson as one of the 40 lawyers under 40 in Boston. In 2011, Public Justice nominated Ms. Johnson and the rest of her trial team for Trial Lawyer of the Year for their work securing a \$142 million RICO verdict against Pfizer for fraudulently marketing the drug Neurontin.

Ms. Johnson graduated *cum laude* from Dartmouth College and earned her J.D. at Boston College Law School. Ms. Johnson is admitted to practice in the Commonwealth of Massachusetts, the District of Massachusetts, and the First Circuit Court of Appeals. She is a member of the American Association for Justice and Public Justice's Class Action Preservation Project Committee.

Edward Notargiacomo

Edward Notargiacomo is Of Counsel at Hagens Berman Sobol Shapiro, where he has worked since 2002. He joined the firm's Boston office to focus on complex consumer, commercial and antitrust litigation. Mr. Notargiacomo is involved in a number of large class-action suits against large pharmaceutical manufacturers in both the consumer protection and antitrust areas.

Mr. Notargiacomo's extensive experience in complex cases also includes consumer class actions against predatory lenders and employment litigation against a major retail chain, as well as intense involvement in high-profile impact litigation against cigarette manufacturers and the firearms industry.

Mr. Notargiacomo's recent notable cases include *In re Relafen Antitrust Litigation* (\$85 million settlement), *In re Lupron Marketing and Sales Practices Litigation* (\$150 million settlement), *In re Pharmaceutical Manufacturers Average Wholesale Price Litigation* (\$300 million in settlements), *In re Vytarin/Zetia Marketing, Sales Practices, and Products Liability Litigation* (\$80 million settlement), *In re Flonase Antitrust Litigation* (\$150 million settlement), *In re Wellbutrin Antitrust Litigation* (\$21 million settlement), *In re Skelaxin Antitrust Litigation* (\$73 million settlement), and *In re Neurontin Sales Practices Litigation* (\$325 million settlement). He is also extensively involved in the representation of victims who received contaminated steroid injections manufactured by the New England Compounding Company in Framingham, Massachusetts.

Before joining Hagens Berman Sobol Shapiro, Mr. Notargiacomo served as Special Assistant Attorney General for Massachusetts in its suit against the tobacco industry to recoup funds expended to treat smoking related illnesses. He also helped represent Rhode Island, New Hampshire and Maine in their suits against the tobacco industry. In another case, he represented the city of Boston in its suit against gun manufacturers and distributors in order to force them to take responsibility for violence perpetrated with firearms that are illegally distributed in cities like Boston.

Mr. Notargiacomo received his bachelor's degree from Brown University in 1989. He earned his juris doctor with honors from Boston University in 1994 where he served on the Boston University Public Interest Law Review. He is admitted to practice in Massachusetts and in the U.S. District Court for the District of Massachusetts.

Gregory T. Arnold

Greg Arnold is Of Counsel at Hagens Berman Sobol Shapiro, where he has worked since 2010. His practice focuses on the prosecution of large-scale, nationwide class actions, primarily against the pharmaceutical industry. Mr. Arnold also works on behalf of large health care providers, facilitating resolution of recoveries from tortfeasors associated with payments the providers make as a result of the harm caused by the tortfeasors.

Mr. Arnold's current work includes the following Direct Purchaser Class Action cases: *Meijer, Inc. v. Ranbaxy Inc.*, D. Mass., 15-cv-11828; *In re Effexor XR Antitrust Litig.*, No. 3:11-cv-05479 (D.N.J.); *In re Lipitor Antitrust Litig.*, MDL No. 2332 (D.N.J.); *In re Lidoderm Antitrust Litig.*, 14-md-2521 (N.D. Cal.); and *In re Loestrin 24 FE Antitrust Litig.*, 13-md-2472 (D.R.I.).

Mr. Arnold's extensive experience in large-scale consumer-oriented cases goes back more than 20 years. He has represented a variety of states, including the Commonwealth of Massachusetts, in their cases against the tobacco industry. He lead efforts on behalf of three law firms protecting the interests of more than 25,000 asbestos sufferers, resulting in the denial of the debtors' proposed plan of reorganization and a substantial payment to the claimants.

Prior bankruptcy experience included representing an Ad Hoc Committee of Trade Creditors in the *In re WorldCom* matter, resulting in a near 50% increase in the clients' recovery. Mr. Arnold has successfully represented large groups of investors in litigations brought against offshore hedge funds, pursuing the recovery of hundreds of millions of dollars. He has represented national and international clients on a full range of patent litigation issues, including proceedings before the International Trade Commission. Other matters have included successful eminent domain trials, representing companies and individuals on a variety of labor and employment issues including non-compete agreements and various intellectual property matters.

Prior to joining the firm, Mr. Arnold spent more than 15 years in the litigation department of a large Boston-based law firm, including the last seven as an income partner. He graduated from Fairfield University in 1991 and the Villanova University School of Law in 1996, where he served on the Law Review.

He is admitted to practice in the Commonwealth of Massachusetts, District of Massachusetts, the First Circuit Court of Appeals, the Second Circuit Court of Appeals, and the Third Circuit Court of Appeals.

Jessica MacAuley

Jessica R. MacAuley is an associate at Hagens Berman Sobol Shapiro's Boston office, where she has worked since 2012. Focusing on nationwide antitrust class actions and consumer fraud, Ms. MacAuley works on complex cases challenging anticompetitive conduct by pharmaceutical manufacturers including *In re: Prograf Antitrust Litigation*, resolved on the eve of trial for \$98 million for the class of direct purchasers of the drug, and *In re: Solodyn Antitrust Litigation*.

Ms. MacAuley graduated *cum laude* from Northeastern University in 2005 and the Pennsylvania State University, Dickinson School of Law in 2012 where she served as editor of the *Penn State International Law Review*. During law school, she was a certified legal intern for the Rural Economic Development Clinic, advising clients on Marcellus shale exploration land rights, FDA regulations for artisanal cheese makers, and formation of corporate entities for dairy farmers. She is admitted to practice in the commonwealth of Massachusetts, District Court of Massachusetts, and the Second Circuit Court of Appeals.

Kristie A. LaSalle

Kristie A. LaSalle is an associate at Hagens Berman Sobol Shapiro LLP's Boston office, where she has worked since 2014. Her practice focuses on nationwide class action litigation against pharmaceutical companies that violate antitrust, consumer protection, and anti-fraud laws. Prior to joining the firm, Ms. LaSalle served for two years as a law clerk in the Staff Attorney's Office for the United States Court of Appeals for the Second Circuit, where she handled motions practice and appeals of complex class action litigation.

Ms. LaSalle earned an undergraduate degree in biology from Swarthmore College, and graduated *magna cum laude* from Brooklyn Law School in 2012. While in law school, she served as Executive Articles Editor for the Journal of Law and Policy, and as a member of the Brooklyn Law School Moot Court Honors Society's national trial competition team. She was inducted into the Order of the Barristers and won the Scholarly Writing Award. Prior to law school, Ms. LaSalle worked as a paralegal at a large Philadelphia law firm as a member of the legal team defending a pharmaceutical fraud class action.

Ms. LaSalle is admitted to practice in the state of New York; her admission to practice in Massachusetts is pending.

Kiersten A. Taylor

Kiersten A. Taylor is an associate at Hagens Berman Sobol Shapiro's Boston office, where she has worked since early 2016. Her practice focuses on nationwide class action litigation against pharmaceutical companies that violate consumer protection laws, including *In re Avandia Marketing, Sales Practices and Products Liability Litigation*.

Prior to joining the firm, Ms. Taylor served as an associate in the corporate restructuring department at a large Boston-based law firm, where her practice included all areas of in- and out-of- court restructuring, including related mass tort multi-district litigation.

Ms. Taylor graduated from Yale University in 2008 with a bachelor's degree in English Language and Literature, and graduated from Harvard Law School in 2011. She is admitted to practice in the commonwealth of Massachusetts and the District and Bankruptcy Courts of Massachusetts.

James J. Nicklaus

Jim Nicklaus is a staff attorney at Hagens Berman Sobol Shapiro's Boston office, where he has worked since 2013. His practice includes antitrust litigation against pharmaceutical manufacturers on behalf of direct purchasers of pharmaceuticals, including *In re Nexium Antitrust Litigation* (D. Mass., MDL No. 2409); *In re Lidoderm Antitrust Litigation* (N.D. Cal., MDL No. 2521); and *In re Celebrex Antitrust Litigation* (E.D. Va., MDL No. 2332).

Mr. Nicklaus began his legal career at a large Boston law firm, focusing on defense of securities litigation class actions on behalf of emerging technology clients. After changing firms, he broadened his practice to include patent and insurance coverage litigation.

Mr. Nicklaus graduated *cum laude* from Harvard University in 1990 and *magna cum laude* from Harvard Law School of Law in 1993. During law school, he was a member of the Harvard Legal Aid Bureau, representing clients in divorce proceedings and child custody matters. He is admitted to practice in the Commonwealth of Massachusetts, the District of Massachusetts, and the First Circuit Court of Appeals.

Hannah Schwarzschild

Hannah Schwarzschild is a staff attorney at Hagens Berman Sobol Shapiro LLP's Boston office, where she has worked since 2014. Her practice focuses on nationwide class action litigation against pharmaceutical companies that violate antitrust, consumer protection, and anti-fraud laws.

Prior to joining Hagens Berman, Ms. Schwarzschild coordinated large-scale litigation projects in Boston and Philadelphia. Over the past 25 years, she has handled employment discrimination and consumer rights cases in federal and state courts and administrative agencies, including jury and bench trials and appeals.

Ms. Schwarzschild's undergraduate and law degrees were completed at the University of California, Berkeley (Boalt Hall), where she was elected to Phi Beta Kappa in 1985. Prior to law school, she helped build a community performing-arts facility in San Francisco's Mission District, and was an administrator and researcher on nuclear arms control at the Ploughshares Fund. She has been working for LGBT rights and Middle East peace and justice for more than two decades. Her often-cited 1989 article on same-sex marriage and Constitutional privacy was among the first scholarly examinations of the issue in the legal literature.

Ms. Schwarzschild is admitted to practice in California (inactive) and Pennsylvania, and has litigated in numerous federal district courts and the Third Circuit Court of Appeals.