

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re: Seroquel XR (Extended Release
Quetiapine Fumarate) Antitrust Litig.

Master Dkt. No. 20-1076-CFC


This Document Relates To:
All End-Payor Class Actions

PLAN OF ALLOCATION

This Plan of Allocation will govern distributions from the net proceeds of the \$5,475,000.00 million Net Settlement Fund created by the Settlement Agreements in *In re: Seroquel XR (Extended Release Quetiapine Fumarate) Antitrust Litigation*, No. 20-1076-CFC (D. Del.), entered into by End-Payor Plaintiffs,¹ AstraZeneca,² and Handa. To receive a distribution under this Plan of Allocation, a third party-payor (“TPP”) must submit a timely Claim Form and be an Eligible Claimant. The manner in which payments will be allocated and

¹ End-Payor Plaintiffs include Fraternal Order of Police, Miami Lodge 20, Insurance Trust Fund; Law Enforcement Health Benefits, Inc.; The Mayor and City Council of Baltimore; Welfare Plan of the International Union of Operating Engineers Locals 137, 137A, 137B, 137C, and 137R; and The Uniformed Firefighters’ Association of Greater New York Security Benefit Fund and The Retired Firefighters’ Security Benefit Fund of the Uniformed Firefighters’ Association.

² Defendants include AstraZeneca Pharmaceuticals LP and AstraZeneca UK Limited (collectively, “AstraZeneca”) and Handa Pharmaceuticals, LLC (“Handa,” and together with AstraZeneca, “Defendants”).

distributed to Eligible Claimants who submit timely Claim Forms is described below. If a TPP submitting a Claim Form is not a Class Member or does not provide the required information, then that TPP shall not be entitled to any distribution under this Plan of Allocation. If a TPP is a Class Member and provides the requisite information, then that TPP's eligibility to participate in this Plan of Allocation and the amount of payment the Eligible Claimant shall receive (if any) is described below.

I. General Definitions

1. "Claim Form" shall mean the claim form for TPPs, which will be available for download at www.SeroquelXRAntitrustSettlement.com. The timeliness and validity of a TPP's Claim Form are set forth in the Class Notice and shall be determined by the Claims Administrator and the Court.

2. "Claims Administrator" means Epiq Class Action and Claims Solutions, Inc.

3. "Class Counsel" refers to class counsel appointed by this Court for the purposes of the settlement motion.

4. "Class Member" means any TPP falling within the definition of the Class certified by this Court and which has not opted out of the Class.

5. "Class Notice" means the legal notice authorized by the Court in relation to the Settlements.

6. “Class States” means Arizona, Arkansas, California, the District of Columbia, Florida, Hawaii, Illinois, Iowa, Kansas, Maine, Maryland, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Rhode Island, South Dakota, Tennessee, Vermont, West Virginia, and Wisconsin.

7. “Eligible Claimant” means any Class Member that is a TPP that submits a timely and valid Claim Form.

8. “Net Settlement Fund” means the \$5,475,000 Settlement amount together with any interest earned, less Court-approved attorneys’ fees, reimbursement of costs and expenses, service awards, any tax and tax expenses, and fees and costs associated with issuing the Class Notice and claims administration.

9. “Qualifying Claim” shall mean the amount paid and/or reimbursed for 50 mg, 150 mg, 200 mg, and/or 300 mg strengths of Seroquel XR or quetiapine fumarate by a TPP from September 5, 2015, through the date the Court orders preliminary approval of the Settlements. For retail purchases, the State of purchase is the State where the pharmacy is physically located. For purchases made by mail order, the State to which the prescription was sent is considered the place of purchase.

10. “Settlements” or “Settlement Agreements” shall mean the Settlement Agreement with AstraZeneca dated September 18, 2024, and the terms and provisions of the Settlement Agreement with Handa dated September 19, 2024, and as described in the Class Notice.

II. Distribution Among Eligible Claimants

11. No Eligible Claimant shall be permitted to recover from the Net Settlement Fund unless that Claimant submits a Claim Form with a Qualifying Claim. Claimants that opt out of the applicable Class shall not receive any distributions pursuant to this Plan of Allocation.

12. The monies shall be distributed to Eligible Claimants on a *pro rata* basis. To determine each eligible claiming Class Member’s *pro rata* share of the Net Settlement Fund, the Claims Administrator shall multiply the total value of the Net Settlement Fund by a fraction, for which (a) the numerator is the Qualifying Claim for that eligible claiming Class Member, and (b) the denominator is the sum total of all Qualifying Claims by all eligible claiming Class Members.

13. All funds in the Net Settlement Fund must be exhausted if possible. In no event shall any Eligible Claimant be allowed to collect more than an amount equal to that Eligible Claimant’s Qualifying Claim.

14. Eligible Claimants must submit transaction data supporting their Qualifying Claims. At the discretion of the Claims Administrator, TPPs may be required to submit additional claim documentation.

15. If an Eligible Claimant's distribution amount calculates to less than \$10.00, it will not be included in the calculation and no distribution will be made to that Eligible Claimant.

16. Should a balance remain in the Net Settlement Fund after a reasonable amount of time from the initial date of distribution thereof—whether by reason of tax refunds, uncashed checks, or otherwise—the Claims Administrator shall, if feasible, and subject to the Court's approval, reallocate such balance, in an equitable and economic fashion, among Eligible Claimants who successfully received and deposited, cashed, or otherwise accepted a distribution amount. Provided, however, that such redistributions should be made only to those Eligible Claimants who would receive a distribution of at least \$10.00. Subject to the Court's approval, these redistributions shall be repeated until the balance remaining in the Net Settlement Fund is no longer economically feasible to distribute to Eligible Claimants.

17. If any funds in the Net Settlement Fund remain undistributed pursuant to the terms of this Plan of Allocation, Class Counsel shall make an application to the Court for final disposition.

III. Administration

18. All determinations under this Plan of Allocation shall be made by the Claims Administrator, subject to review by Class Counsel and approval by the Court.

19. Each Class Member shall certify that any data or other information it submits to the Claims Administrator is true, accurate, and complete to the best of its knowledge. To verify the accuracy of claim information and to prevent duplication of claims, the Claims Administrator may reasonably request additional information from Class Members as the Claims Administrator deems appropriate.

IV. Amendments to the Plan of Allocation

20. This Plan of Allocation may be amended. To obtain the most up-to-date information regarding the Plan of Allocation, visit www.SeroquelXRAntitrustSettlement.com.