

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

In re EFFEXOR XR ANTITRUST	:	Civil Action No. 11-5590 (JAP)
LITIGATION	:	

Plaintiffs in above-referenced matter bring claims against Wyeth, Inc. and others alleging antitrust violations related to Wyeth’s prescription drug product Effexor XR. By Order dated December 12, 2011, the Court consolidated a number putative class actions brought on behalf of indirect purchasers of Effexor XR (the “Indirect Purchaser Class Actions”) into the instant civil action. Presently before the Court are applications by Plaintiffs for the appointment of interim class counsel pursuant to Federal Rule of Civil Procedure 23(g).

In appointing class counsel, the Court must consider “(i) the work counsel has done in identifying or investigating potential claims in the action; (ii) counsel’s experience in handling class actions, other complex litigation, and the types of claims asserted in the action; (iii) counsel's knowledge of the applicable law; and (iv) the resources that counsel will commit to representing the class;” Fed. R. Civ. P. 23(g)(1)(A), and “may consider any other matter pertinent to counsel’s ability to fairly and adequately represent the interests of the class,” Fed. R. Civ. P. 23(g)(1)(B). Upon considerations of the applicants’ qualifications and the factors enumerated in Rule 23(g), the Court **HEREBY ORDERS AS FOLLOWS:**

1. The Court appoints the following firms as interim class counsel for the proposed class of indirect purchasers:

Liaison Counsel:

Trujillo Rodriguez & Richards, LLC
Lisa J. Rodriguez
258 Kings Highway East
Haddonfield, NJ 08033

Indirect Purchaser Class Executive Committee:

Carella, Byrene, Cecchi, Olstein, Brody & Agnello, P.C.
James E. Cecchi
5 Becker Farm Road
Roseland, NJ 07068

Pomerantz Haudek Grossman & Gross LLP
Michael M. Buchman
100 Park Avenue
New York, NY 10017

Freed & Weiss LLC
Richard J. Burke
1010 Market Street
St. Louis, MO 63101

The Dugan Law Firm
James R. Dugan, II
365 Canal St., Ste. 1000
New Orleans, LA 70130

Wexler Wallace LLP
Kenneth A. Wexler
55 West Monroe Street, Suite 3300
Chicago IL 60603

Jeffrey L. Kodroff
Spector, Roseman, Kodroff & Willis P.C.
1818 Market Street, Suite 2500
Philadelphia, Pennsylvania 19103

2. Liaison Counsel shall: (a) communicate with the Court on behalf of the Indirect Purchaser Class Executive Committee (the “Committee”); (b) receive and distribute notices, orders, motions and briefs on behalf of and among the Committee; (c) advise the Committee about developments in the case; (d) be served with all papers, notices, orders, and pleadings; (e)

sign and file all papers and stipulations; and (f) perform any other function the Court or the Committee may request.

3. The Court appoints James E. Cecchi to the position of Chair of the Committee. The Committee may, at its discretion, allocate to its members other such functions and responsibilities it deems appropriate.

4. Only the Committee may initiate or direct the filing of any motions in the consolidated Indirect Purchaser Class Actions.

5. Only the members of the Committee have the authority to communicate with Defendants' counsel on behalf of plaintiffs in the Indirect Purchaser Class Actions. Defendants' counsel may rely on all agreements made with the Committee. All agreements between the Committee and Defendants shall be binding on all counsel in the Indirect Purchaser Class Actions.

6. The Committee shall reasonably coordinate activities in the Indirect Purchaser Class Actions to the extent appropriate and practicable.

SO ORDERED this 14th day of December, 2011.

/s/ Joel A. Pisano
JOEL A. PISANO, U.S.D.J.