

Consumer Economic Loss Class Action Settlement Notice – Vivimed Settlement

If you are an individual who paid any amount of money for retail purchases of Vivimed Losartan, you could receive a payment from a class action settlement.

A Federal Court authorized this notice. This is not a solicitation from a lawyer.

- A Settlement has been reached in an economic loss class action lawsuit against Vivimed Life Sciences Pvt Ltd and Strides Pharma Science Limited (collectively, “Vivimed”). The settlement is part of a larger lawsuit called *In re: Valsartan, Losartan, and Irbesartan Products Liability Litigation*, Case No. 1:19-md-02875 (MDL No. 2875) (the “Lawsuit”) and is currently pending in the United States District Court for the District of New Jersey (“the Court”). This notice informs you of your legal rights and options.
- The Settlement is intended to fully, finally, and forever resolve, discharge, and settle the consumer and third-party payor class action claims for economic loss related to the sale of finished dose Losartan by Vivimed, or Vivimed’s repackager, Heritage Pharmaceuticals Inc. d/b/a Avet Pharmaceuticals Inc. (“Heritage”), that was manufactured using API allegedly contaminated with nitrosamines including but not limited to NMBA.
- Vivimed has denied any wrongdoing, has denied that the amounts of NMBA in the Losartan and LCDs at issue were or could be carcinogenic, and have asserted various legal and factual defenses to the claims asserted on behalf of the Class.
- The Court has not decided whether Vivimed did anything wrong or whether the Plaintiffs’ claims have merit. This Settlement of Vivimed Losartan economic loss claims does not include or affect any other claims against Vivimed or any other entity, including but not limited to medical monitoring and personal injury claims, nor does it include any claims related to Irbesartan or Valsartan.
- Your legal rights are affected regardless of whether you act or do not act. Please read this Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT		DEADLINE
SUBMIT A CLAIM	To receive a Settlement payment, you must submit a Claim Form. You can submit your Claim online at the Settlement website www.SartanMedicationSettlement.com or download a paper Claim Form and submit it by mail. Documentation should be submitted to support your claim, if possible. After you submit your claim, the Settlement Notice Administrator may contact you for proof of purchase from your pharmacy, if needed to approve your claim.	[CLAIM DEADLINE]
DO NOTHING	If you do nothing, you will remain a part of the Class and Settlement. You will receive no payment under the Settlement and you will give up your rights to sue Vivimed about the issues in this case.	NO DEADLINE

EXCLUDE YOURSELF FROM THE SETTLEMENT	Excluding yourself from the Settlement is the only option that allows you to pursue your own claims against Vivimed for the legal claims made in the Lawsuit. Choosing this option means you will not be bound by any future determination made in the Settlement; however, you will also not be eligible for a payment, if any are awarded. See question 12 for more information.	[EXCLUSION DEADLINE]
OBJECT TO THE SETTLEMENT	If you do not like any part of the Settlement, you may write to the Court and explain your objection. You can not submit both an exclusion request and objection. You must remain a part of the Class to object. The Court will consider your objection at the Final Approval Hearing. If the Court grants Final Approval over your objection, you will give up your rights to sue Vivimed about the issues in this case. If you also wish to receive payment from the Settlement, you must submit a Claim Form. See Question 15 for more information.	[OBJECTION DEADLINE]

- These rights and options – and the deadlines to exercise them – are explained in this Notice.

BASIC INFORMATION

1. What is this Notice about?

A federal court directed that this Notice be provided to you because you have a right to know about this class action Settlement and about all of your rights and options. The Court also authorized and required the manner by which you received this Notice, and specifically required notice to be provided by email or text message, where available, or U.S. mail in certain limited circumstances. This Notice explains the Lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

The Court presiding over this case is the United States District Court for the District of New Jersey (“the Court”). The Court is overseeing the class actions in the Lawsuit as part of a Multi-District Litigation (“MDL”) called *In re: Valsartan, Losartan, and Irbesartan Products Liability Litigation*, Case No. 1:19-md-02875-RBK-SAK. The people and entities that filed the Lawsuit are called the “Plaintiffs” and the companies they sued are called the “Defendants.” The settled part of the Lawsuit relates only to Vivimed’s sale of Losartan Impacted NDCs, and does not involve Irbesartan or Valsartan.

2. What is the Settlement about?

The Settlement addresses claims that Vivimed violated state laws by manufacturing, distributing, selling and/or dispensing Losartan or LCDs that were contaminated with probable human carcinogens in the form of NMBA. Vivimed Defendants deny all allegations of fault, wrongdoing, or liability made in the Lawsuit, have denied that the amounts of NMBA in the Losartan and LCDs at issue were or could be carcinogenic, and have asserted various legal and factual defenses.

3. What is a class action?

Questions? Call 1-866-875-9644 or visit www.SartanMedicationSettlement.com

In a class action, one or more individuals sue on behalf of other people with similar claims. These individuals are known as “Class Representatives” or “Plaintiffs.” Together, the people included in the class action are called a “class” or “class members.” One court resolves a class action lawsuit for all class members, except for those who opt out of the class and litigation. The Plaintiffs and the Defendants are the Parties (the “Parties”) in the Litigation.

In this Settlement, which resolves one part of the overall Lawsuit, the Class Representatives are Jacqueline Harris (“Consumer Plaintiff”) and MSP Recovery Claims, Series LLC (“MSPRC”) (“TPP Plaintiff”). In this Settlement, Vivimed are Vivimed Pharma Ltd., Vivimed Pharma USA, Inc., and Aurolife Pharma LLC (defined herein to include their predecessors, successors, subsidiaries and affiliates and each of their past, present and future direct or indirect parent companies, subsidiaries, divisions and affiliates, joint ventures, and each of their present and former officers, directors, employees, stockholders, partners, owners, and insurers).

WHO IS INCLUDED IN THE LAWSUIT?

4. Who is included in the Settlement Class?

You are a member of the consumer Settlement Class if you are an individual in the United States and its territories and possessions who paid any amount of money for retail purchases of Vivimed Losartan finished drug formulations sold under the following impacted National Drug Codes (“NDCs”): 23155-644-09; 23155-644-10; 23155-645-03; 23155-645-09; 23155-645-10; 23155-646-03; 23155-646-09; and 23155-646-10 (“Impacted NDCs”).

5. Are there exceptions to being a Class Member?

Yes. Excluded from the Settlement Class are: (a) Vivimed and affiliated entities and their employees, officers, directors, and agents; (b) Vivimed’s assigns, and successors; (c) all federal and state governmental entities except for cities, towns, municipalities, or counties with self-funded prescription drug plans; (d) Pharmacy Benefit Managers (“PBMs”); (e) any judge or magistrate presiding over this action, and members of their families; (f) Plaintiffs’ counsel of record; (g) any personal injury plaintiff or claimant; and, (h) all persons who properly execute and file a timely request for exclusion from any Court-approved class.

6. How can I get help in determining if I am eligible?

If you need help in determining your eligibility, you can visit the Settlement Website at www.SartanMedicationSettlement.com and answer a few simple questions. You can also call 1-866-875-9644 or email info@SartanMedicationSettlement.com for more information.

WHAT DOES THE SETTLEMENT PROVIDE?

7. What does the Settlement provide?

In consideration of the full and complete Release of all Released Claims against Vivimed and the Released Parties, and the dismissal of the Action with prejudice, Vivimed agrees to pay \$1,899,000.00. All costs of settlement notice and administration shall be paid from the settlement fund.

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The net fund (“the Fund”), after deduction of Attorneys’ Fees and Expenses, Class Notice and administration expenses, and Service Awards, shall be administered and allocated between the consumers and Third-Party Payors in a method to be determined by their respective Class Counsel subject to review by the Hon. Joel Schneider U.S.M.J (ret.). The allocation method will be set forth in Plaintiffs’ Motion for Preliminary Approval and filed with the Court prior to the hearing.

8. How do I get a payment?

Consumer members of the Settlement Class shall submit Claim Forms documenting their purchases of Vivimed Losartan Impacted NDCs as provided in the Settlement Agreement and approved by the Court. The Settlement Notice Administrator will review the Claim Forms and any supporting documentation with particular attention to the possibility of fraudulent or mistaken claims.

Documentation should be submitted to support your claim, if possible. Your claim will be reviewed by the Settlement Notice Administrator to determine if sufficient information is provided to accept your claim or if additional documentation, such as proof of purchase from your pharmacy, is required. You may, if you so choose, provide documentation with your claim submission to prevent any possible delays in approving your claim.

If you are an eligible Settlement Class Member, you must submit a Claim Form to receive a Settlement payment. You can submit your Claim online at the Settlement website www.SartanMedicationSettlement.com or download a paper Claim Form and submit it by mail. You may be required to submit supporting documentation. Your Claim Form must be **submitted online or postmarked by [CLAIMS DEADLINE]**.

9. When will I get my payment?

The Court will consider the fairness of the Settlement at the Final Approval Hearing scheduled for **Month Day, Year**. If the Court grants Final Approval, following the effective date described in the Settlement Agreement and any timeline defined in the Court’s Final Approval Order, the Settlement Notice Administrator will distribute payments. Please be patient, as this process can take some time.

ADDITIONAL RIGHTS AND OPTIONS

10. What happens if I do nothing at all?

If you do nothing, you will remain a part of the Class and Settlement. You will receive no payment under the Settlement and you will give up your rights to sue Vivimed for economic losses related to Vivimed’s Losartan. **Submitting a Claim Form is the only way to receive a payment from this Settlement.**

11. Can I opt-out of the Settlement?

Yes, you can choose to opt-out, or exclude yourself, from the Settlement. Choosing this option means you will not be bound by any future determination made in the Settlement; however, you will also not be eligible for a payment from this Settlement. This is the only option that allows you to pursue your own claims against Vivimed for claimed economic losses related to Vivimed’s Losartan.

Questions? Call 1-866-875-9644 or visit www.SartanMedicationSettlement.com

12. How do I exclude myself?

If you want to keep your right, if any, to separately sue Vivimed for the claims that are addressed by the Settlement, you must take steps to exclude yourself from the Class and Lawsuit. This is called “opting out”. The deadline for requesting exclusion from the Class and Lawsuit is **[EXCLUSION DEADLINE]**.

To exclude yourself, you must submit a written request for exclusion that includes the following information:

- Your full name, current address, and telephone number, and qualification to participate in the settlement, and;
- A statement specifically and unambiguously indicating your desire to be excluded from the Settlement Class and election to be excluded from any judgment entered pursuant to the Settlement.

You will also be requested to provide information as to the identification of the at-issue losartan you purchased, if available, however this is not a requirement for exclusion.

A printable exclusion request form is available on the Settlement Website www.SartanMedicationSettlement.com. Your request for exclusion must be mailed to the address below so it is **postmarked or received no later than [EXCLUSION DEADLINE]**.

Vivimed Settlement Notice Administrator
ATTN: Exclusion Request
PO Box 3376
Baton Rouge, LA 70821

You may also email a scanned copy of your signed exclusion request form to info@SartanMedicationSettlement.com. You must download, print, complete, and sign the PDF exclusion form found on the Settlement Website to qualify for email submission of your exclusion request. You must include your documentation of purchase or declaration regarding your inability to provide documentation with your exclusion form submission.

By electing to be excluded: (1) you will not share in any recovery that might be obtained by the Class upon Final Approval of the Settlement; (2) you will not be bound by any decision related to the Settlement that is either favorable to the Class or favorable to Vivimed; and (3) you may present any claims you have against Vivimed related to Losartan through your own lawsuit.

Requests for exclusions shall be permitted on an individual basis only. Any purported “class-wide” opt-outs will be construed as being submitted only on behalf of the person who actually submitted the exclusion.

13. If I do not exclude myself, can I still sue Vivimed?

No. If you stay in the Settlement Class (i.e., do nothing or do not exclude yourself), you give up any right to separately sue or pursue claims against any of Vivimed for the claims released in this Settlement.

Questions? Call 1-866-875-9644 or visit www.SartanMedicationSettlement.com

14. Can I object to the Settlement?

Yes, if you do not like any part of the Settlement, you may write to the Court and explain your objection. You cannot submit both an exclusion request and objection. You must remain a part of the Class to object. The Court will consider your objection at the Final Approval Hearing. If the Court grants Final Approval over your objection, you will give up your rights to sue Vivimed about the issues in this Settlement. If you also wish to receive payment from the Settlement, you must submit a Claim Form.

15. How do I object to the Settlement?

The deadline for objecting to the Settlement is **OBJECTION DEADLINE**.

Any Settlement Class Member who intends to object to the fairness of the Settlement Agreement must, file any objection via the Court’s electronic filing system, and if not filed via the Court’s electronic system, must mail, postmarked by the date specified in the Preliminary Approval Order, the objection to the Court and also serve by first-class mail copies of the objection upon:

Clerk of the Court
 United States District Court
 District of New Jersey
 Mitchell H. Cohen Building
 & U.S. Courthouse
 4th & Cooper Streets
 Camden, New Jersey 08101

Class Counsel for Consumer Class:	Class Counsel for TPP Class:	Counsel for Defendants:
<p style="text-align: center;">John R. Davis Slack Davis Sanger, LLP 6001 Bold Ruler Way #100 Austin, TX 78746</p> <p style="text-align: center;">Ruben Honik Honik Law 1515 Market Street, Ste. 110 Philadelphia, PA, 19102</p> <p style="text-align: center;">Conlee S. Whiteley Kanner & Whiteley, LLC 701 Camp Street New Orleans, LA 70130</p>	<p style="text-align: center;">Gregory P. Hansel Preti Flaherty Beliveau & Pachios, Chartered, LLP P.O. Box 9546 One City Center Portland, ME 04112-9546</p> <p style="text-align: center;">Jorge A. Mestre Rivero Mestre LLP 2525 Ponce De Leon Blvd. Ste. 1000 Miami, FL 33134</p>	<p style="text-align: center;">Douglas Tween John Eichlin Linklaters LLP 1290 Avenue of the Americas New York, NY 10104</p>

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Your objection must include:

- Your full name, current address, and telephone number;
- the identification of the at issue Vivimed Losartan purchased by you, the objector, including the amount of Vivimed Losartan the objector claims to have purchased, the date(s) of purchase, and documentation necessary to establish these elements if required by the Settlement Notice Administrator;
- a written statement that you have reviewed the Settlement Class definition and represents in good faith that you are a Settlement Class Member;
- a written statement of all grounds for the objection accompanied by any legal support for such objection sufficient to enable the parties to understand and respond to those specific objections;
- copies of any papers, briefs, or other documents upon which the objection is based and which are pertinent to the objection; and
- a list of all other objections submitted by you, the objector, and/or your counsel, to any class action settlements submitted in any state or federal court in the United States in the previous five (5) years, including the full case name with jurisdiction in which it was filed and the docket number. If you or your counsel has not objected to any other class action settlement in the United States in the previous five (5) years, you shall affirmatively so state in the objection

Objections shall be permitted on an individual basis only. Any purported “class-wide” objections will be construed as being submitted only on behalf of the person who actually submitted the objection.

16. If I object, can I still sue Vivimed?

No. To object, you must stay in the Settlement Class (i.e., do not exclude yourself) and therefore you give up any right to separately sue any of Vivimed for the claims released in this Settlement.

17. If I object, and the Court grants Final Approval of the Settlement, can I still get a payment?

Yes, but only if you also submit a Claim Form as described in Question 8 above.

THE LAWYERS REPRESENTING YOU

18. Do I have a lawyer in this case?

Yes, if you do not exclude yourself by opting out. The Court has appointed the following law firms to represent the Settlement Class.

Consumer Economic Loss Class Counsel

- John R. Davis, Slack Davis Sanger, LLP
- Ruben Honik, Honik Law
- Conlee Whiteley, Kanner & Whiteley, LLC

You will not be charged directly for their services. Plaintiffs will apply to the Court for an award of reasonable attorneys’ fees up to, but not to exceed, one-third of the total amount of the Settlement Fund,

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plus reasonable costs and expenses related to the Vivimed Losartan economic loss litigation. Attorneys' Fees and Expenses shall be in addition to any Representative Plaintiffs' Service Awards that may be awarded by the Court from the Settlement Fund.

19. Can I have my own lawyer?

If you do not exclude yourself, you do not need to hire your own lawyer because Class Counsel works for you. If you want to be represented by your own lawyer, you may hire one at your own expense and have them appear on your behalf in the Lawsuit.

THE COURT PROCESS

20. When and where will the Court decide whether to approve the Settlement?

The Court will hold the Final Approval Hearing at **TIME on Day, Month Date, Year at Courthouse**. The purpose of the hearing is for the Court to determine whether the Settlement is fair, reasonable, adequate, and in the best interests of the Settlement Class. At the hearing, the Court will hear any objections and arguments concerning the fairness of the proposed Settlement, including those related to the amount requested by Class Counsel for attorneys' fees and expenses and the requested service awards for the Class Representatives.

Note: The date and time of the Final Approval Hearing are subject to change by Court Order. Any changes will be posted at the Settlement website, www.SartanMedicationSettlement.com.

21. Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have. You are welcome to come at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as your written objection was filed or mailed on time and meets the other criteria described in Question #15 and detailed in the Settlement Agreement, the Court will consider it. You may also pay a lawyer to attend, but you don't have to.

22. May I speak at the hearing?

Subject to the approval of the Court, any objecting Settlement Class Member may appear, in person or by counsel, at the Final Fairness Hearing to explain why the proposed settlement should not be approved as fair, reasonable, and adequate, or to object to any petitions for Attorneys' Fees, Expenses or Service Awards.

If you intend to appear at the Final Fairness Hearing, you must file with the Clerk of the Court and serve upon all counsel designated in Question 15 above a notice of intention to appear at the Fairness Hearing by the objection deadline as specified in the Preliminary Approval Order. The notice of intention to appear must include copies of any papers, exhibits, or other evidence, and the identity of witnesses, that you or your counsel intends to present to the Court in connection with the Final Fairness Hearing.

GET MORE INFORMATION

Questions? Call 1-866-875-9644 or visit www.SartanMedicationSettlement.com

23. How do I get more information?

For more information about the Settlement, including assistance in determining whether you qualify as a Class Member, please visit the Settlement Website www.SartanMedicationSettlement.com. You may contact the Settlement Notice Administrator by email at info@SartanMedicationSettlement.com, by phone at 1-866-875-9644 or by mail at:

Vivimed Settlement Notice Administrator
P.O. Box 3376
Baton Rouge, LA 70821

PLEASE DO NOT WRITE OR CALL THE COURT OR THE CLERK'S OFFICE FOR INFORMATION.

Questions? Call 1-866-875-9644 or visit www.SartanMedicationSettlement.com