

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

Robert Strougo, on Behalf of Himself and All
Others Similarly Situated,

Plaintiff,

v.

Lannett Company, Inc., et al.

Defendants.

Case No. 2:18-cv-03635-MAK

**SUPPLEMENTAL DECLARATION OF
ADAM M. APTON IN SUPPORT OF
PLAINTIFFS' MOTION FOR FINAL
APPROVAL OF SETTLEMENT AND
AWARD OF ATTORNEYS' FEES AND
REIMBURSEMENT OF LITIGATION
EXPENSES**

I, Adam M. Apton, hereby declare as follows:

1. I am a partner of the law firm of Levi & Korsinsky, LLP, attorneys for Lead Plaintiffs Soe Wong and Michael Hoeltzel ("Plaintiffs") and Lead Counsel in this Action. I am admitted to practice before this Court *pro hac vice* and have personal knowledge of the various matters set forth herein based on my day-to-day participation in the prosecution and settlement of this Action. I submit this Supplemental Declaration in further support Plaintiffs' Motions for Final Approval of the Settlement and Award of Attorneys' Fees and Reimbursement of Litigation Expenses.

2. Attached hereto as Exhibit A is my firm's billing record for this matter (with minor corrections for typographical errors and syntax and redactions for privileged material). The declaration previously submitted in support of the motions included a summary of these records reflecting the various attorneys who worked on the matter and the hours they spent on the matter, among other things. The attached billing record provides that same information but in greater detail and includes descriptions for each billing entry.

3. While preparing the attached exhibit, I identified a series of time entries belonging to attorney Alexander A. Krot that should not have been included on this matter. These entries were for work done in another matter but were erroneously filed under the wrong matter number. The time entries amounted to a total of 60.2 hours. They have been removed from the attached exhibit. The correct total number of hours spent on this matter by my firm was 370.55 hours.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 27th day of January 2020.

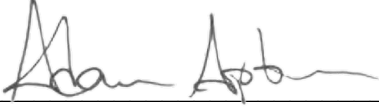

Adam M. Apton

EXHIBIT A

Date	Lawyer	Hours	Rate	Amount	Explanation
8/28/2018	CC	0.25	495.00	123.75	Emailed shareholder
8/29/2018	CC	0.50	495.00	247.50	Emailed shareholders
8/30/2018	CC	0.25	495.00	123.75	Emailed shareholders
8/31/2018	CC	0.50	495.00	247.50	Emailed shareholders
10/8/2018	AAK	0.25	575.00	143.75	Reviewed Lead Plaintiff submissions
10/12/2018	CC	0.25	495.00	123.75	Emailed shareholders
10/15/2018	CC	0.50	495.00	247.50	Called and emailed shareholders
10/17/2018	AAK	0.50	575.00	287.50	Client intake
10/17/2018	CC	0.25	495.00	123.75	Emailed shareholders
10/18/2018	CC	0.25	495.00	123.75	Emailed shareholders
10/22/2018	AAK	0.75	575.00	431.25	Evaluated losses and prepared for filing
10/24/2018	AAK	0.25	575.00	143.75	Prepared for upcoming filing
10/24/2018	CC	0.50	495.00	247.50	Emailed and called shareholders
10/25/2018	AAK	5.25	575.00	3018.75	Conducted loss calculations; calls with client; research, joint call, drafted joint declaration, email to clients
10/25/2018	CC	0.25	495.00	123.75	Emailed shareholders
10/26/2018	AAK	3.00	575.00	1725.00	Drafted Lead Plaintiff papers and arranged filing
10/27/2018	AAK	0.25	575.00	143.75	Reviewed competing movants; loss charts
10/29/2018	AAK	0.25	575.00	143.75	Reviewed docket and local rules/Judge's rules in regards to response and reply
11/5/2018	AAK	0.75	575.00	431.25	Reviewed letter, conducted research re same, emailed client questions, emails regarding client questions
11/6/2018	AMA	0.50	765.00	382.50	Drafted letter to Pomerantz re LP motion
11/6/2018	AAK	0.25	575.00	143.75	Discussed with Adam Apton regarding letter to Pomerantz
11/7/2018	ZAG	0.50	265.00	132.50	File management re initiating documents
11/7/2018	AAK	0.50	575.00	287.50	Reviewed docket
11/8/2018	AAK	1.50	575.00	862.50	Drafted and edited Lead Plaintiff opposition
11/9/2018	AAK	6.75	575.00	3881.25	Drafted and edited Lead Plaintiff opposition
11/12/2018	AAK	3.00	575.00	1725.00	Drafted Lead Plaintiff reply
11/14/2018	AAK	3.25	575.00	1868.75	Drafted Lead Plaintiff reply
11/15/2018	AAK	2.50	575.00	1437.50	Drafted and edited Lead Plaintiff reply
11/26/2018	AMA	3.00	765.00	2295.00	Prepared for upcoming hearing regarding lead plaintiff

11/27/2018	AMA	5.00	765.00	3825.00	Traveled to and from and attended lead plaintiff hearing
12/11/2018	MG	0.25	455.00	113.75	Overview meeting with Adam Apton
12/12/2018	MG	8.75	455.00	3981.25	Reviewed original complaint and researched case
12/13/2018	MG	7.75	455.00	3526.25	Drafted Amended Complaint
12/13/2018	MG	0.50	455.00	227.50	Meeting with Adam Apton to discuss case
12/18/2018	MG	10.25	455.00	4663.75	Researched, drafted Amended Complaint & discussed & emailed with Adam Apton about research for case
12/18/2018	AMA	2.50	765.00	1912.50	Supplemented/revised amended complaint
12/19/2018	MG	0.25	455.00	113.75	Discussed case with Adam Apton
12/19/2018	MG	0.75	455.00	341.25	Read CW reports
12/19/2018	MG	7.50	455.00	3412.50	Final edits to Amended Complaint
12/19/2018	AMA	5.25	765.00	4016.25	Supplemented and revised amended complaint
1/25/2019	AMA	2.00	765.00	1530.00	Reviewed defendants' motion to dismiss
1/27/2019	AMA	3.00	765.00	2295.00	Outlined opposition re motion to dismiss
1/29/2019	AMA	5.50	765.00	4207.50	Drafted opposition re motion to dismiss
1/30/2019	AMA	6.50	765.00	4972.50	Drafted opposition re motion to dismiss
1/31/2019	AMA	6.75	765.00	5163.75	Drafted opposition re Motion to dismiss
2/1/2019	AMA	2.50	765.00	1912.50	Supplemented and revised opposition re motion to dismiss
3/13/2019	MG	0.25	455.00	113.75	Discussed case with Adam Apton case with AA
3/13/2019	AMA	2.00	765.00	1530.00	Reviewed court order re motion to dismiss
3/13/2019	AMA	1.00	765.00	765.00	Researched local rules and practice for Kearney, J.
3/13/2019	NIP	0.50	925.00	462.50	Conference with Adam Apton re Motion to dismiss decision
3/14/2019	AMA	1.25	765.00	956.25	Discussed strategy re discovery with Lannett team
3/14/2019	NIP	0.50	925.00	462.50	Conference with Adam Apton re discovery and Motion to dismiss decision
3/15/2019	AAK	6.00	575.00	3450.00	Reviewed amended complaint, order on Motion to dismiss, order re. initial conference, and judge's practice rules; online research re. allegations in complaint; reviewed rules re. Pro hac vice and assisted in preparation; emails with local re. Pro hac vice; conversations with Adam Apton and

					Nicholas Porritt re. Rule 26 disclosures; begin drafting rule 26(a) disclosures; calendared deadlines re. above
3/15/2019	AMA	1.50	765.00	1147.50	Outlined initial disclosures per Rule 26
3/15/2019	NIP	1.50	925.00	1387.50	Conference with Adam Apton re chedule and initial disclosures; conference with Alex Krot re initial disclosures
3/17/2019	AAK	3.00	575.00	1725.00	Internet research re. 26(a) disclosures and draft and edit 26(a) initial disclosures
3/18/2019	AAK	0.75	575.00	431.25	Called clients and conversations with Adam Apton re. Rule 26 disclosures
3/18/2019	AAK	4.00	575.00	2300.00	Performed online research and reviewed SEC filings and court filings concerning potential additional individuals with relevant information and edited rule 26(a) disclosures
3/18/2019	AAK	0.25	575.00	143.75	Researched addresses for Rule 26(a) disclosures
3/18/2019	AAK	0.25	575.00	143.75	Call with Client Wong re. [redacted]
3/18/2019	NIP	1.00	925.00	925.00	Reviewed initial disclosures; conference with Adam Apton re initial disclosures, damages and discovery
3/19/2019	AAK	2.00	575.00	1150.00	Reviewed amended complaint to identify and drafted initial search terms; conversation with AMA re. search terms and production; Drafted emails to clients re. [redacted]; call with client Hoeltzel re. [redacted]
3/19/2019	AAK	0.50	575.00	287.50	Drafted motion for Pro hac vice by Ryan Ernst; reviewed rules re. Pro Hac Vice; send to local for finalizing and filing
3/20/2019	AAK	2.50	575.00	1437.50	Calls and emails with clients and SM re. [redacted]
3/20/2019	AAK	0.25	575.00	143.75	Conversation with Adam Apton re. Rule 26 conference
3/20/2019	AMA	2.50	765.00	1912.50	Prepared for upcoming Rule 26(f) conference
3/21/2019	AAK	2.75	575.00	1581.25	Calls with client; assisted with obtaining documents for production; assist Bianca Budhai with obtaining documents from client
3/21/2019	AAK	2.00	575.00	1150.00	Prepared for and participated in Rule 26(f) conference

3/21/2019	AMA	2.00	765.00	1530.00	Supplemented/revise initial disclosures per Rule 26
3/21/2019	AMA	3.50	765.00	2677.50	Prepared for and attended telephonic Rule 26(f) conference
3/22/2019	AAK	7.75	575.00	4456.25	Calls and emails with client re. [redacted]; reviewed client produced documents; prepared documents for production
3/22/2019	JC	0.25	265.00	66.25	discussion re Lannett
3/22/2019	JC	1.25	265.00	331.25	plaintiff production creation and communication re same
3/25/2019	AAK	1.00	575.00	575.00	Coordinated receiving documents from clients and distribution to defendants
3/25/2019	AAK	0.25	575.00	143.75	Call with client
3/25/2019	AAK	5.00	575.00	2875.00	Drafted Rule 26f report and Conversations with Adam Apton re. same
3/25/2019	AMA	2.00	765.00	1530.00	Supplemented/revise draft joint report per Rule 26(f)
3/26/2019	AAK	2.00	575.00	1150.00	Drafted stipulated facts and reviewed relevant local and judges' rules; contacted clients
3/26/2019	AAK	1.50	575.00	862.50	Edited stipulated facts
3/26/2019	AMA	4.25	765.00	3251.25	Supplemented/revise joint report per Rule 26(f) and stipulated facts
3/26/2019	NIP	2.00	925.00	1850.00	reviewed and revise draft R 26(f) report; reviewed and revise stipulated facts
3/27/2019	AMA	2.50	765.00	1912.50	Supplemented/revise initial disclosures
3/27/2019	NIP	0.50	925.00	462.50	conference with Adam Apton re discovery and loss causation
3/28/2019	AMA	2.00	765.00	1530.00	Drafted discovery demands to defendants
3/28/2019	AMA	2.00	765.00	1530.00	Prepared for upcoming pre-trial conference
3/28/2019	JC	0.25	265.00	66.25	bates stamped production
4/1/2019	AMA	6.50	765.00	4972.50	Traveled to and from DC to Philadelphia for initial pre-trial conference in USDC ED Pa. and attended same
4/1/2019	JC	0.25	265.00	66.25	discovery edits
4/8/2019	AMA	3.00	765.00	2295.00	Drafted subpoenas to non-party witnesses
4/9/2019	SHA	0.50	265.00	132.50	Conducted address searches
4/15/2019	AAK	0.50	575.00	287.50	Conversations with Adam Apton re. strategy
4/15/2019	AAK	0.25	575.00	143.75	Calls with clients

4/15/2019	AAK	0.25	575.00	143.75	Prepared for document review
4/15/2019	AMA	0.75	765.00	573.75	Discussed case status and litigation strategy
4/16/2019	AAK	0.25	575.00	143.75	Conference call with clients re. [redacted]
4/16/2019	AMA	0.50	765.00	382.50	Conference call with clients re [redacted]
4/17/2019	AAK	4.50	575.00	2587.50	Document review and drafted memo re. same
4/18/2019	AAK	4.00	575.00	2300.00	Researched SEC filings and analyzed document productions against filings; drafted and edited memo re. same
4/18/2019	AAK	1.00	575.00	575.00	Online research concerning recent developments concerning Lannett
4/19/2019	AAK	1.00	575.00	575.00	Reviewed defendants' presentation and updated memo; discussion with Adam Apton re. findings and next strategy
4/19/2019	AAK	0.25	575.00	143.75	Reviewed defendants' requests for productions
4/22/2019	AAK	1.25	575.00	718.75	Reviewed Defendants first requests for production and interrogatories; Discussion with Adam Apton re. same
4/23/2019	AAK	0.50	575.00	287.50	Contacted clients re. Defendants requests for discovery
4/24/2019	AAK	1.25	575.00	718.75	Prepared for call and call with client Wong re. [redacted]
4/24/2019	AAK	1.00	575.00	575.00	Prepared for call and call with client Wong re. [redacted]
4/24/2019	AMA	2.25	765.00	1721.25	Reviewed draft discovery responses
4/25/2019	AAK	0.75	575.00	431.25	Edited Request for production responses and discussion with Adam Apton re. same
4/25/2019	AAK	0.50	575.00	287.50	Drafted email to client
4/26/2019	AAK	6.25	575.00	3593.75	Reviewed discovery and prepared for production; emails to clients re. [redacted]
4/29/2019	AAK	3.25	575.00	1868.75	Reviewed documents for production, emails to client
4/29/2019	AAK	0.25	575.00	143.75	Drafted updated retainer
5/1/2019	AAK	0.25	575.00	143.75	Discovery production preparation
5/2/2019	AAK	0.25	575.00	143.75	Document production preparation
5/2/2019	AAK	0.25	575.00	143.75	Discussion with Adam Apton re. discovery
5/5/2019	AAK	5.00	575.00	2875.00	Drafted response to interrogatories and call with client re. [redacted]; reviewed documents

5/6/2019	AAK	4.25	575.00	2443.75	Finalized documents for production to defendants
5/7/2019	AMA	2.50	765.00	1912.50	Reviewed discovery production for relevancy and redaction
5/7/2019	AAK	1.00	575.00	575.00	Emails re. production of documents
5/7/2019	JC	0.75	265.00	198.75	plaintiff production creation
5/8/2019	AAK	0.75	575.00	431.25	Communications and review thereof re clients' interrogatories
5/9/2019	AAK	4.75	575.00	2731.25	Finalized interrogatories; coordinated with clients concerning [redacted]
5/9/2019	AMA	2.25	765.00	1721.25	Reviewed JSP responses to subpoenas
5/10/2019	AAK	0.50	575.00	287.50	Called client and email re. [redacted]
5/10/2019	AMA	2.00	765.00	1530.00	Reviewed JSP responses to subpoenas
5/10/2019	AMA	1.00	765.00	765.00	Reviewed interrogatory responses to defendants
5/13/2019	AMA	1.00	765.00	765.00	Reviewed discovery documents from defendants
5/13/2019	JC	0.25	265.00	66.25	Downloaded e-discovery materials and uploading
5/13/2019	AAK	0.50	575.00	287.50	Reviewed documents
5/14/2019	AMA	3.00	765.00	2295.00	Reviewed discovery documents and drafted memorandum re liability theory
5/14/2019	JC	0.25	265.00	66.25	Emails re document review assignments and review process
5/14/2019	PAH	2.25	350.00	787.50	Reviewed court memorandum on defendants' Motion to Dismiss; began review of defendants' documents in response to plaintiffs' Requests for Production
5/15/2019	NIP	7.75	925.00	7168.75	Reviewed status of document review
5/15/2019	PAH	5.00	350.00	1750.00	Reviewed plaintiffs' Requests for Production and Interrogatories to defendants; completed review of defendants' documents in response to Requests for Production; prepared chronological summary correlating produced documents with the plaintiff discovery requests
5/20/2019	JT	0.50	265.00	132.50	Processed and uploaded production documents to Eclipse
5/21/2019	JT	0.30	265.00	79.50	Communicated with R. Ozone re production
5/28/2019	GNes	1.00	925.00	925.00	Conference with defense counsel re possible settlement; internal meetings re parameters of same
5/28/2019	JT	0.50	265.00	132.50	Uploaded production

5/29/2019	AAK	0.50	575.00	287.50	Document review
6/3/2019	GNes	0.50	925.00	462.50	Telephonic conference with defense counsel
6/4/2019	GNes	1.00	925.00	925.00	Finalized tentative settlement with defendants
6/11/2019	AAK	0.25	575.00	143.75	Called clients re [redacted]
6/17/2019	AMA	1.00	765.00	765.00	Drafted requests for proposals re claims administrators
6/19/2019	ZAG	0.50	265.00	132.50	File management
6/24/2019	AAK	8.00	575.00	4600.00	Drafted and edited stipulation, notice, summary notice, orders, and proof of claim form
6/25/2019	JT	0.25	265.00	66.25	Assisted Bianca Budhai with notice formatting
6/25/2019	AAK	6.75	575.00	3881.25	Drafted and edited stipulation, notice, summary notice, orders, and proof of claim form
6/27/2019	AAK	0.50	575.00	287.50	Reviewed edits to stipulation and drafted letter to court
6/27/2019	AMA	3.00	765.00	2295.00	Supplemented/revised settlement papers and corresponded with claims administrator
7/1/2019	AMA	3.50	765.00	2677.50	Drafted settlement documents
7/2/2019	AAK	3.75	575.00	2156.25	Drafted preliminary approval brief
7/4/2019	AAK	5.00	575.00	2875.00	Drafted Preliminary approval brief
7/9/2019	AMA	3.50	765.00	2677.50	Drafted settlement papers
7/10/2019	AMA	2.50	765.00	1912.50	Drafted settlement papers
7/11/2019	AAK	3.00	575.00	1725.00	Drafted Preliminary approval brief
7/11/2019	AMA	8.00	765.00	6120.00	Drafted settlement papers
7/12/2019	AMA	6.50	765.00	4972.50	Drafted settlement papers
7/19/2019	AAK	2.50	575.00	1437.50	Researched for final approval brief and began drafting motion
7/30/2019	AMA	6.50	765.00	4972.50	Traveled to and attended preliminary approval hearing
8/2/2019	AAK	0.50	575.00	287.50	Reviewed Preliminary approval order
11/25/2019	AAK	1.50	650.00	975.00	Researched case law for final approval brief
11/26/2019	AAK	1.50	650.00	975.00	Prepared documents for clients claim submissions; calls with clients re status of case
12/5/2019	AAK	0.50	650.00	325.00	Communicated with client; communicated with claims administrator re. proof of claims
12/10/2019	AAK	0.25	650.00	162.50	Reviewed chamber rules
12/11/2019	AAK	0.25	650.00	162.50	Reviewed client's claim form

12/12/2019	AAK	0.50	650.00	325.00	Emails with client and reviewed client's claim form; emails to claims administrator
12/12/2019	AAK	2.25	650.00	1462.50	Drafted fee brief
12/13/2019	AAK	3.00	650.00	1950.00	Drafted fee brief
12/14/2019	AAK	1.50	650.00	975.00	Reviewed hearing transcript and final approval brief
12/21/2019	AAK	10.00	650.00	6500.00	Researched, drafted, and edited motion for final approval
12/22/2019	AAK	1.50	650.00	975.00	Researched, drafted, and edited motion for final approval and motion for attorneys' fees
1/3/2020	AMA	4.00	850.00	3400.00	Supplemented/revised motion re final approval and attorneys' fees

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

ROBERT STROUGO, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

LANNETT COMPANY, INC. TIMOTHY C.
CREW and MARTIN P. GALVAN,

Defendants.

Case No. 2:18-cv-03635-MAK

CERTIFICATE OF SERVICE

I, Ryan M. Ernst, Esquire, hereby certify that a true and correct copy of the foregoing *Declaration of Adam M. Apton in Support of Plaintiffs' Motion for Final Approval of Settlement and Award of Attorneys' Fees and Reimbursement of Litigation Expenses* has been electronically filed this 27th day of January, 2020, and is available for viewing and downloading via the Court's CM/ECF system, which will send notification of same to all counsel of record.

Dated: January 27, 2020

O'KELLY & ERNST, LLC

/s/ Ryan M. Ernst

Ryan M. Ernst (No. 202191)

O'Kelly & Ernst, LLC

824 N. Market Street, Ste. 1001A

Wilmington, DE 19801

(302) 778-4002

ernst@oelegal.com