



United States District Court
Northern District Of California
San Francisco Division

In re Xyrem (Sodium Oxybate) Antitrust Litigation
No. 20-md-02966-RS

Class Action Notice

Authorized by the U.S. District Court

Did you pay
and/or provide
reimbursement
for some or all
the purchase
price for brand
or generic
Xyrem from
January 1, 2017
through May 16,
2025?

A class action
lawsuit and
Settlements may
affect your rights.

To be part of the
Settlements and
eligible to receive
a payment:

Read this notice.

Respond by
October 3, 2025.

Important things to know:

- Your legal rights are affected even if you do nothing. Please read this Notice carefully.
- You can learn more at: www.InReXyremAntitrustLitigation.com.

Table of Contents

Table of Contents	2
Notice Summary	3
Overview	3
The Classes	5
About This Notice	5
Why did I get this notice?.....	5
What do I do next?.....	6
What are the most important dates?.....	7
Learning About the Lawsuit	8
What is this lawsuit about?.....	8
Why is this lawsuit a class action and what is the status of the case?.....	8
Why are there new Settlements?.....	9
Determining if You are a Settlement Class Member	10
Who is included in the Settlements?.....	10
Who is not included in the Settlement?.....	10
What if you are not sure if you are included in the Settlements?.....	11
Settlement Benefits	11
What do the Settlements provide?.....	11
What can I get from the Settlements?	12
How to Get a Payment	12
How do I submit a Claim?	12
When will I get my payment?	13
Can I get a payment from the Settlements if I excluded myself from the previous settlements?	13
Can I get a payment from the Settlements if I excluded myself from the Damages Class in 2023?.....	13
Excluding Yourself from the Settlements	13
How do I exclude myself from the Settlements?.....	13
What is the legal significance of excluding myself?.....	15
If I don't exclude myself, can I sue Jazz or Hikma later?	15

If I excluded myself from the Damages Class and/or from the previous settlements, do I need to exclude myself again?	16
Can I still exclude myself from the Damages Class and/or from the previous settlements?	16
Objecting to the Settlements.....	16
Can I object to the Settlements?.....	16
Can I object to the previous settlements?.....	17
What is the difference between objecting and asking to be excluded?.....	17
If You Do Nothing.....	18
What happens if I do nothing at all?	18
The Lawyers Representing You	18
As a member of the Settlement Class, do I have a lawyer representing my interests in this Class Action?.....	18
How will the lawyers be compensated? Will the named Plaintiffs receive a service award?.....	19
Should I get my own lawyer?.....	20
The Final Approval Hearing	20
When and where will the Court decide whether to approve the Settlements?	20
Must I attend the Final Approval Hearing?.....	21
Can I attend and speak at the Final Approval Hearing?	21
Getting More Information	22
How do I get more information?	22

Notice Summary

Overview

This document provides Notice of preliminary approval of a \$145 million settlement with Defendant Jazz Pharmaceuticals Ireland Limited (“Jazz”) and a \$50 million settlement with Defendants Hikma Pharmaceuticals plc, Hikma Pharmaceuticals USA Inc., Hikma Labs, Inc. (“Hikma”) (“Settlements”). It provides class members with a deadline of July 28, 2025, to object to the Settlements and/or exclude themselves from the Settlement Class.

This Notice is being provided by Order of the U.S. District Court for the Northern District of California. It is not a solicitation from a lawyer. You are not being sued.

A class action lawsuit is pending in the United States District Court for the Northern District of California (the "Court"). Plaintiffs in the lawsuit are A.F. of L. – A.G.C. Building Trades Welfare Plan, The City of Providence, Rhode Island, Government Employees Health Association, New York State Teamsters Council Health and Hospital Fund, Self-Insured Schools of California, and UFCW Local 1500 Welfare Fund ("Class Plaintiffs"). The Defendants named in the lawsuit are Jazz Pharmaceuticals, Inc., Jazz Pharmaceuticals Ireland Limited, and Jazz Pharmaceuticals Public Limited Company; Hikma Pharmaceuticals plc, Hikma Pharmaceuticals USA Inc., Hikma Labs, Inc., and Eurohealth (USA), Inc.; Amneal Pharmaceuticals LLC ("Amneal"), and Lupin Ltd., Lupin Pharmaceuticals Inc., and Lupin Inc. ("Lupin") (together "Defendants"). The Amneal and Lupin Defendants previously settled with Plaintiffs in settlements totaling \$3.4 million. Now, there are proposed settlements totaling \$195 million with Defendants Jazz and Hikma. If approved, these Settlements would resolve all remaining claims in this lawsuit.

Plaintiffs allege that Defendants harmed competition and violated certain federal and state antitrust and consumer protection laws. Plaintiffs further allege that Defendants unlawfully delayed and restricted the availability of allegedly less-expensive generic versions of Xyrem and Defendants' alleged conduct caused Settlement Class members to pay more than they otherwise would have for Xyrem and/or Xywav. Defendants deny any wrongdoing.

This lawsuit does not claim that Xyrem or Xywav is unsafe.

The Court has not decided whether Defendants did anything wrong.

The Settlements will be used to pay (1) money to eligible Settlement Class members; (2) notice and administration costs; (3) service awards to the class representatives; and (4) attorneys' fees, costs, and expenses.

The Classes

This Notice provides notice of the Preliminary Approval of the Settlements with Jazz and Hikma on behalf of the Settlement Class. The Settlement Class is defined below:

All entities that paid and/or provided reimbursement for some or all of the purchase price for brand or generic Xyrem in Alaska, Arizona, Arkansas, California, Connecticut, District of Columbia, Florida, Hawaii, Illinois, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Puerto Rico, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, West Virginia, and Wisconsin (“Class States”), for consumption by their members, employees, insureds, participants, or beneficiaries, and other than for resale, during the time from January 1, 2017, through and until May 16, 2025 (“Class Period”).

Excluded from the Settlement Class are: (1) Jazz and Hikma and their counsel, parents, subsidiaries, and affiliates; (2) federal and state governmental entities; (3) United HealthCare Services, Inc.; Humana Inc.; Molina Healthcare, Inc.; Health Care Service Corporation, Inc.; Aetna, Inc.; Blue Cross Blue Shield of Florida, Inc.; and Health Options, Inc. (each of these entities in (3) on behalf of themselves but not on behalf of any of their so-called “Administrative Services Only” clients (“ASO Clients”)); and (4) any entities that timely and validly opt out of the Settlements. For avoidance of doubt, included in the Settlement Class are cities, towns, municipalities, and counties, and carriers for Federal Employee Health Benefit plans.

About This Notice

Why did I get this notice?

This Notice is given pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the Northern District of California (“the Court”). It is not junk mail, an advertisement, or a solicitation from a lawyer. You have not been sued.

The Court authorized this Notice because you have a right to know about new proposed Settlements with Jazz and Hikma and your rights and options before the Court decides whether to approve the Settlements. This Notice explains this class action lawsuit, the Settlements, and your legal rights. Your legal rights are affected whether you act or not.

You are receiving this Notice because you may be a member of the Settlement Class if you paid, and/or provided reimbursement for brand or generic Xyrem (sodium oxybate) from January 1, 2017, through and until May 16, 2025.

What do I do next?

Read this notice. Then, decide if you want to:

Rights & Options	More information:
Submit a Claim Form	If you want to be eligible to receive money from the Settlements, you must complete and return a Claim Form. The Claim Form and information on how to submit it are available on the Settlement website. Claim Forms must be postmarked (if mailed) or received (if submitted online) on or before October 3, 2025 . If you exclude yourself from a Settlement, you will not be eligible to receive money from that Settlement.
Do Nothing	If you are a member of the Settlement Class, by doing nothing you will remain in the Settlement Class for these Settlements. You will not get a payment from the Settlements and will give up your right to sue Jazz and Hikma on your own for the same legal claims made in this lawsuit. You will be bound by the Settlements.
Opt Out	If you wish to exclude yourself from one or both Settlements, you must submit a written request to the Notice and Claims Administrator by July 28, 2025 . If you exclude yourself, you will not be bound by the Settlement(s) from which you exclude yourself and will not be eligible to receive money from those Settlement(s). You may be able to keep your rights to sue Jazz or Hikma about the claims in this case.

Object or Speak at the Fairness Hearing	If you object to all or any part of the Settlements, request for attorneys' fees, reimbursement of expenses, or service awards to the Class Representatives, or desire to speak in person at the Final Approval Hearing, you must submit a written letter of objection and/or a notice of intention to speak along with a summary statement to the Court and the Notice and Claims Administrator by July 28, 2025 .
Get More Information	If you would like more information about the lawsuit or these Settlements, you can review this Notice and send questions to the Notice and Claims Administrator and/or Co-Lead Counsel. DO NOT CONTACT THE COURT OR THE DEFENDANTS IF YOU HAVE QUESTIONS ABOUT THIS NOTICE.

These rights and options—**and the deadlines to exercise them**—are explained in this Notice.

The Court in charge of this case still must decide whether to approve the Settlements.

Payments will be made to those who qualify only after the Court approves the Settlements and any appeals are resolved. Please be patient.

What are the most important dates?

Your deadline to object or opt out: **July 28, 2025**

Final Approval Hearing: **October 23, 2025**

Your deadline to submit a claim form: **October 3, 2025**

Learning About the Lawsuit

What is this lawsuit about?

Plaintiffs allege that Defendants harmed competition and violated certain federal and state antitrust and consumer protection laws. Plaintiffs further allege that Defendants unlawfully delayed and restricted the availability of

allegedly less-expensive generic versions of Xyrem and Defendants' alleged conduct caused Settlement Class members to pay more than they otherwise would have for Xyrem and/or Xywav.

Defendants deny all these allegations, including that their alleged conduct violated any applicable laws or regulations.

THE COURT HAS NOT DECIDED WHETHER ANY OF THE DEFENDANTS VIOLATED ANY LAWS. THIS NOTICE IS NOT AN EXPRESSION OF ANY OPINION BY THE COURT AS TO THE MERITS OF PLAINTIFFS' CLAIMS AGAINST ANY DEFENDANTS OR THE DEFENSES ASSERTED BY ANY DEFENDANT.

The lawsuit is known as *In re Xyrem (Sodium Oxybate) Antitrust Litigation*, No. 20-md-02966-RS (N.D. Cal.). Chief Judge Richard Seeborg of the United States District Court for the Northern District of California is overseeing this case.

The case does not involve the safety or efficacy of Xyrem or Xywav.

Where can I learn more?

You can get a complete copy of the proposed Settlements, the complaint and other key documents in this lawsuit at:

www.InReXyremAntitrustLitigation.com

Why is this lawsuit a class action and what is the status of the case?

In a class action, one or more people or entities called "Class Representatives" sue on behalf of others with similar claims. In this case, the Class Representatives are A.F. of L. – A.G.C. Building Trades Welfare Plan, The City of Providence, Rhode Island, Government Employees Health Association, New York State Teamsters Council Health and

Hospital Fund, Self-Insured Schools of California, and UFCW Local 1500 Welfare Fund. The Class Representatives and the entities on whose behalf they have sued together are the “Class” or “Class members.”

The companies that were sued are called the “Defendants.” In this case, the Settling Defendants are Jazz Pharmaceuticals, Inc., Jazz Pharmaceuticals Ireland Limited, and Jazz Pharmaceuticals Public Limited Company and Hikma Pharmaceuticals plc, Hikma Pharmaceuticals USA Inc., Hikma Labs, Inc., and Eurohealth (USA), Inc.

In a class action lawsuit, one court resolves the issues for everyone in the class, which does not include those class members who exclude themselves (*i.e.*, “opt out”) from the class. The Court, by Order dated May 12, 2023, determined that this lawsuit can proceed as a class action. The Court previously gave final approval to \$3.4 million in settlements with Amneal and Lupin on April 17, 2024.

This Notice is about a new \$145 million Settlement with Jazz and \$50 million Settlement with Hikma. If the Court approves the Settlements, the claims in this lawsuit will be fully resolved.

Copies of the Court’s Orders, Settlement Agreements with Amneal and Lupin, and the proposed Settlement Agreements with Jazz and Hikma may be found at www.InReXyremAntitrustLitigation.com.

Why are there new Settlements?

Previous settlements with Amneal and Lupin were reached and Court-approved. Now, Plaintiffs and the Settling Defendants, Jazz and Hikma, have agreed to settle. The Court has not decided in favor of the Plaintiffs or Jazz and Hikma. By agreeing to the Settlements, Plaintiffs, Jazz, and Hikma avoid the costs and uncertainty of a trial, and the Settlement Class receives the benefits described in this Notice. The proposed Settlements do not mean that any law was broken or that Jazz or Hikma did anything wrong. Plaintiffs believe the Settlements are best for the Settlement Class.

Determining if You are a Settlement Class Member

Who is included in the Settlements?

You may be a member of the Settlement Class if, during the time from January 1, 2017, through and until May 16, 2025, you paid and/or provided reimbursement for some or all the purchase price for brand or generic Xyrem in Alaska, Arizona, Arkansas, California, Connecticut, District of Columbia, Florida, Hawaii, Illinois, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Puerto Rico, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, West Virginia, and Wisconsin.

Settlement Class members are entities (besides the patient or the health care provider) that provide reimbursement for health care expenses, like prescription drug benefits. They include entities such as health insurance companies and self-insured health and welfare plans that make payments from their own funds and other health benefit providers and entities with self-funded plans. Settlement Class members include private entities that provide prescription drug benefits for current or former public employees and/or public benefits programs, but only to the extent that such a private entity paid for brand or generic Xyrem (sodium oxybate) for consumption by its members, employees, insureds, participants, or beneficiaries].

Who is not included in the Settlement?

You are **NOT** a member of the Settlement Class if you are among any of the following:

- (1) Jazz and Hikma and their counsel, parents, subsidiaries, and affiliates;
- (2) federal and state governmental entities;
- (3) United HealthCare Services, Inc.; Humana Inc.; Molina

Healthcare, Inc.; Health Care Service Corporation, Inc.; Aetna, Inc.; Blue Cross Blue Shield of Florida, Inc.; and Health Options, Inc. (each of these entities on behalf of themselves but not on behalf of any of their so-called “Administrative Services Only” clients (“ASO Clients”)); and

(4) any entities that timely and validly opt out of the Settlements.

For avoidance of doubt, included in the Settlement Class are cities, towns, municipalities, or counties, or carriers for Federal Employee Health Benefit plans.

What if you are not sure if you are included in the Settlements?

If you are not sure whether you are a Settlement Class member, or have any other questions about the Settlements, visit the website, www.InReXyremAntitrustLitigation.com, or call the toll-free number, 877-495-0891. You may also send questions to the Notice and Claims Administrator at In re Xyrem Antitrust Litigation, c/o A.B. Data, Ltd., P.O. Box 173020, Milwaukee, WI 53217.

Settlement Benefits

What do the Settlements provide?

If the Settlements are approved and become final, they will provide money to Settlement Class members. Jazz will pay \$145 million and Hikma will pay \$50 million to settle the lawsuit. These Settlements would resolve all Settlement Class members’ claims against Jazz and Hikma.

The total Settlement amount will be used to pay:

- Money to eligible Settlement Class members;
- Attorneys’ fees of up to 1/3 of the Settlement Fund plus interest,
- Attorneys’ costs and expenses up to \$4,500,000;
- Notice and administration costs and expenses; and
- Up to \$300,000 in service awards to the Class Representatives.

Please review the Settlement Agreements, available at www.InReXyremAntitrustLitigation.com, for more information.

What can I get from the Settlements?

You can get money from the Settlements. To get a payment, you must submit a valid Claim Form. You only need to submit a single claim form. You do not need to submit a separate claim form for each Settlement.

At this time, it is unknown how much each entity who submits a valid claim will receive. The amount of your payment will depend on the amount you paid and/or reimbursed for brand or generic Xyrem and Xywav, the number of claims that are filed, and the total amount of money available to the Settlement Class. Certain types of claims (i.e. for Xyrem in the class states) will be paid at a higher rate than other types of claims (i.e. for Xywav in states other than the class states). More details of how payments will be calculated are in the Plan of Allocation, which can be viewed at www.InReXyremAntitrustLitigation.com.

How to Get a Payment

How do I submit a Claim?

If you want to be eligible to receive money from the Settlements, you must complete and return a Claim Form. The Claim Form, and information on how to submit it, are available on the Settlement website: www.InReXyremAntitrustLitigation.com. Claim Forms must be postmarked (if mailed) or received (if submitted online) on or before **October 3, 2025**.

If you exclude yourself from one of the Settlements, you will not be eligible to receive money from that Settlement. Submitting a claim does not, however, prevent you from objecting to the Settlements.

When will I get my payment?

The Court must approve the Settlements and any appeals must be resolved before any money is distributed. If there are appeals, resolving them can take time. Please be patient.

Can I get a payment from the Settlements if I excluded myself from the previous settlements?

Yes. If you excluded yourself from the previous settlements with Amneal and Lupin (and do not exclude yourself from these Settlements), you can file a claim to ask for a payment from these Settlements. You will only get a payment from the settlements in which you did not exclude yourself.

Can I get a payment from the Settlements if I excluded myself from the Damages Class in 2023?

Yes. If you excluded yourself from the Damages Class in 2023 (and do not exclude yourself from these Settlements), you can file a claim to ask for a payment from these Settlements.

Excluding Yourself from the Settlements

How do I exclude myself from the Settlements?

If you wish to be excluded from the one or both of the Settlements, you must submit a written request for exclusion to the Notice and Claims Administrator. Your request for exclusion must include:

- The name of the entity seeking to exclude itself
- The Settlement(s) from which the entity wants to be excluded (*i.e.*, Jazz Settlement, Hikma Settlement, or Jazz and Hikma Settlements);
- The entity's address and IRS EIN;

- The name and title of the entity representative, as well as the representative's phone number, mail address, and email address;
- The case name and number: *In re Xyrem (Sodium Oxybate) Antitrust Litigation*, No. 20-md-02966-RS;
- A statement, signed by an authorized representative, that you are a member of the Settlement Class and wish to be excluded from one or both Settlement(s); and
- Data sufficient to establish your entity's brand or generic Xyrem (sodium oxybate) purchases or reimbursements (including the date and state of the prescriptions) on a transaction-by-transaction basis during the time from January 1, 2017, through and until May 16, 2025, other than for resale, in the Class States.

Exclusion requests must be mailed to the Notice and Claims Administrator at the address below and **POSTMARKED** no later than **July 28, 2025**:

In re Xyrem Antitrust Litigation
EXCLUSIONS
P.O. Box 173001
Milwaukee, WI 53217

A separate exclusion request must be submitted by each Settlement Class member electing to be excluded. Any entity included in the Settlement Class that does not submit a valid request for exclusion providing all necessary information will be bound by the orders of the Court and outcome of the case.

Any entity that wants to opt out Settlement Class members that the entity purports to represent (e.g., welfare funds or employers for whom the entity acts as an Administrative Services Organization) must include for each such Settlement Class member all the information noted above. In addition, for each such Settlement Class member the entity must provide a declaration from an authorized representative of the Settlement Class member, substantially in the form noted below and executed specifically in connection with this litigation, attesting to the entity's authority to opt the Settlement Class member out of the Settlement(s). The entity must mail this information to the Notice and

Claims Administrator at the address above and it must be **POSTMARKED** no later than **July 28, 2025**.

Date:

Declarant Class member Name

Declarant Class member Address

Declarant Class member Telephone Number

Declarant Class member EIN

Dear Notice and Claims Administrator:

I am [Name and Title of Officer or Employee of Declarant Class member Requesting Exclusion]. [Declarant Class member] has authorized [entity] to request exclusion from the [Jazz and Hikma] Settlements on [Class member's] behalf in the case of *In re Xyrem (Sodium Oxybate) Antitrust Litigation*.

This request relates to the exclusion from the Settlement Class for [those/that] Settlement(s).

I do so declare under penalty of perjury.

Name/Title of Officer or Employee

Date Signed

What is the legal significance of excluding myself?

If you exclude yourself, you will not be legally bound by the terms of the Settlements with respect to the Settlement Class. You may be able to sue Jazz or Hikma (depending on which Settlement(s) you exclude yourself from) in the future for the claims being resolved by these Settlements.

If you exclude yourself from a Settlement, you will not be eligible to receive money from that Settlement. You will only be eligible to receive money from the settlements in which you did not exclude yourself.

This is your only opportunity to exclude yourself from the Settlements.

If I don't exclude myself, can I sue Jazz or Hikma later?

No. If the Court approves the proposed Settlements and unless you exclude yourself, you give up the right to separately sue Jazz and Hikma for the conduct alleged in the lawsuit. You must exclude yourself from the Settlement Class in these Settlements to be able to bring your own,

separate lawsuit(s) against Jazz or Hikma for the conduct alleged in the lawsuit.

Remember, the exclusion deadline is **July 28, 2025**.

If I excluded myself from the Damages Class and/or from the previous settlements, do I need to exclude myself again?

Yes. If you do not want to be part of these Settlements, you need to exclude yourself again now even if you previously excluded yourself from the previous settlements with Amneal and Lupin and/or the Damages Class.

Can I still exclude myself from the Damages Class and/or from the previous settlements?

No. The deadline to exclude yourself from the Damages Class and previous settlements with Amneal and Lupin has passed.

Objecting to the Settlements

Can I object to the Settlements?

Yes. As a Settlement Class member, you have a right to object to or comment on any part of the proposed Settlements and/or the request for attorneys' fees, costs, and expenses and service awards. You can ask the Court to deny approval of one or both Settlements by filing an objection. You can't ask the Court to order different Settlements; the Court can only approve or reject the Settlements. If the Court does not approve the Settlements, no Settlement payments will be made, and the lawsuit will continue. If that is what you want to happen, you may object.

To object to the Settlements, you (or your lawyer if you have one) must submit a written objection to the Court and send the objection to Notice and Claims Administrator at the below address by mail or email. You must submit your objection on or before **July 28, 2025**. Your written objection can include any supporting materials, papers, or briefs that you want the Court to consider. Your written objection must include:

- The name of the class member submitting the objection;
- The name and title of the entity representative, as well as the representative's phone number, mail address, and email address;
- The case name and number: *In re Xyrem (Sodium Oxybate) Antitrust Litigation*, No. 20-md-02966-RS;
- An explanation of your objection, including which of the Settlements you are objecting to; and
- Documentation demonstrating that you are a member of the Settlement Class and/or this statement, followed by your signature: "I declare under penalty of perjury under the laws of the United States of America that [insert name of the class member] is a member of the Settlement Class."

You must submit your entity's objection to the Court (mailing address immediately below) and mail or email copies to the Notice and Claims Administrator so that they are received by **July 28, 2025**.

Notice and Claims Administrator	The Court
<p style="text-align: center;">In re Xyrem Antitrust Litigation OBJECTIONS P.O. Box 173001 Milwaukee, WI 53217 info@InReXyremAntitrustLitigation.com</p>	<p style="text-align: center;">Office of the Clerk of Court U.S. District Court for the Northern District of California 450 Golden Gate Avenue San Francisco, CA 94012</p>

Can I object to the previous settlements?

No. The deadline to object to the previous settlements with Amneal and Lupin has passed.

What is the difference between objecting and asking to be excluded?

Objecting is simply telling the Court that you do not like something about the Settlements. You can only object if you stay in the Settlement Class for those Settlements. If you object to the

Settlements, you are still included in the Settlements as a Settlement Class member, and you can submit a Claim Form.

Excluding yourself is telling the Court that you do not want to be a part of the Settlement Class for the Settlements. You cannot receive a payment from the Settlements in which you exclude yourself. If you exclude yourself, you will also have no basis to object to the Settlements and appear at the Final Approval Hearing, because they no longer affect you.

If You Do Nothing

What happens if I do nothing at all?

If you do nothing, and you are a member of the Settlement Class, you will be bound by the Settlements and all related Court orders. Unless you exclude yourself, you will not be able to file a lawsuit or be part of any other lawsuit asserting claims against Jazz or Hikma concerning or relating to the claims and factual allegations that were or could have been raised in this action. The Settlement Agreements are available at www.InReXyremAntitrustLitigation.com and describe the specific claims you give up if you remain in the Settlements. Please read both of them carefully.

If you do nothing, you will not be eligible to receive money from the Settlements).

The Lawyers Representing You

As a member of the Settlement Class, do I have a lawyer representing my interests in this Class Action?

Yes. The Court has appointed lawyers to represent you and other members of the Settlement Class. These lawyers are called Co-Lead Counsel.

Counsel for the Class	
Dena C. Sharp Girard Sharp LLP 601 California Street, Suite 1400 San Francisco, CA 94108	Michael M. Buchman Motley Rice LLC 800 Third Avenue, Suite 2401 New York, NY 10022

How will the lawyers be compensated? Will the named Plaintiffs receive a service award?

Co-Lead Counsel will ask the Court for (1) an award of attorneys' fees of up to one-third (1/3) of the Settlement Fund (plus a proportionate share of the interest) and (2) reimbursement of litigation costs or expenses, which shall not exceed \$4,500,000. Co-Lead Counsel will also ask for service awards for the Class Plaintiffs in the aggregate sum of \$300,000 (up to \$40,000 for Class Plaintiffs that have prepared to testify at trial, and up to \$25,000 for other Class Plaintiffs) to be paid from the Settlement Fund for their efforts to date. Co-Lead Counsel may also request the reimbursement of additional expenses in connection with the administration and preservation of the Settlement Fund. If the Court grants Co-Lead Counsel's requests, these amounts would be deducted from the Settlement Fund. You will not have to pay these fees, expenses, and costs out-of-pocket.

The Court entered a set-aside order on April 17, 2024, a copy of which can be obtained at www.InReXyremAntitrustLitigation.com or by contacting the Notice and Claims Administrator. The Order requires that 10% of any settlement or recovery obtained by a Settlement Class member that excluded itself from the Settlement Class to be deposited into an escrow account, and Co-Lead Counsel be permitted to seek payment from that amount as compensation for the common benefit work they and other lawyers for the Settlement Class performed that benefitted the Settlement Class member that excluded itself.

Co-Lead Counsel's request for an award of attorneys' fees, reimbursement of expenses, and for service awards for the Class Representatives will be filed with the Court and made available for download or viewing on or before **July 10, 2025**, on the Settlement

website, and at the office of the Clerk of the United States District Court for the Northern District of California, San Francisco Division, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California 94102-3489, which can be visited between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays. You can tell the Court you do not agree with Co-Lead Counsel's request for attorneys' fees and expenses, or for service awards for the Class Representatives, by filing an objection.

Should I get my own lawyer?

You do not need to hire your own lawyer, but if you hire a lawyer to speak for you or appear in Court, your lawyer must file a Notice of Appearance. If you hire your own lawyer, it will be your responsibility to pay for that lawyer.

The Final Approval Hearing

When and where will the Court decide whether to approve the Settlements?

The Court will hold a Final Approval Hearing in person on **October 23, 2025** at 1:30 p.m. before the Honorable Richard Seeborg at the San Francisco Courthouse, 450 Golden Gate Ave., San Francisco, CA 94102, 17th Floor, Courtroom 3. Information about how to view the hearing will be posted at www.InReXyremAntitrustLitigation.com when it becomes available, but any class member wishing to speak at the final approval hearing must attend in person. The Court may reschedule the Final Approval Hearing without further written notice, so you should check www.InReXyremAntitrustLitigation.com or call 877-495-0891 for updates.

The purpose of the Final Approval Hearing is for the Court to:

- Decide if the Settlements are fair, reasonable, adequate, and in the best interests of the Settlement Class, if they should be approved, and if a judgment should be entered;
- Consider any request by Co-Lead Counsel for an award of attorneys'

- fees, reimbursement of expenses, and service awards;
- Consider all comments and objections; and
- Consider any other issues that the Court thinks are necessary.

Must I attend the Final Approval Hearing?

No. Attendance is not required. Co-Lead Counsel is prepared to answer questions on your behalf. But you are welcome to come at your own expense. Settlement Class members who filed and served written objections may (but do not have to) attend the Final Approval Hearing, themselves or through an attorney hired at their own expense.

Can I attend and speak at the Final Approval Hearing?

Yes, anyone can observe the Final Approval Hearing in person or remotely.

If you want to attend the Final Approval Hearing and speak, you must attend the hearing in person and submit a Notice of Intent to Appear with the Court, as well as mail or email the Notice of Intent to Appear to the mailing or email addresses of the Notice and Claims Administrator, so they are received by **July 28, 2025**. The Notice of Intent to Appear must contain the following information:

- The name of the Settlement Class member on whose behalf a representative will appear that Final Approval Hearing;
- The name and title of the Settlement Class member's representative, as well as the representative's phone number, mail address, and email address;
- The case name and number: *In re Xyrem (Sodium Oxybate) Antitrust Litigation*, No. 20-md-02966-RS; and

The name and address of any witnesses to be presented at the Final Approval Hearing, together with a statement as to the matters on which they wish to speak on.

Getting More Information

How do I get more information?

This Notice is only a summary. Complete copies of public pleadings, Court rulings, and other filings are available for review and copying at the Clerk’s office. The address is U.S. District Court, Northern District of California, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California 94102-3489. Chief Judge Richard Seeborg of the United States District Court for the Northern District of California is overseeing the Class Action.

Information about the Settlements, including the Settlement Agreements, is also available on the case website at www.InReXyremAntitrustLitigation.com, or you can call the Notice and Claims Administrator toll-free at 877-495-0891.

Do not contact the Court or Chief Judge Seeborg.

Resource	Contact Information
Case website	www.InReXyremAntitrustLitigation.com
Notice and Claims Administrator	In re Xyrem Antitrust Litigation c/o A.B. Data, Ltd. P.O. Box 173020 Milwaukee, WI 53217 877-495-0891 info@InReXyremAntitrustLitigation.com
Your Lawyers	Dena C. Sharp Girard Sharp LLP 601 California Street, Suite 1400 San Francisco, CA 94108 Michael M. Buchman Motley Rice LLC 800 Third Avenue, Suite 2401 New York, NY 10022

Court (DO NOT CONTACT)

U.S. District Court, Northern District of California
United States Courthouse
450 Golden Gate Avenue
San Francisco, CA 94102-3489