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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

GREG FLEMING, Individually and on Behalf )  
of All Others Similarly Situated, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
IMPAX LABORATORIES INC., et al., )  
 )  
Defendants. )  
\_\_\_\_\_ )

Case No. 4:16-cv-06557-HSG  
CLASS ACTION  
STIPULATED FINAL JUDGMENT

1 This matter came before the Court for hearing pursuant to the Order of this Court, dated  
2 November 22, 2021, on the application of the Settling Parties for approval of the Settlement set  
3 forth in the Second Amended Stipulation of Settlement, dated October 27, 2021 (the “SASS”).  
4 Due and adequate notice having been given to the Class as required in the Order, the Court having  
5 considered all papers filed and proceedings held herein and otherwise being fully informed in the  
6 premises and good cause appearing therefore, on July 15, 2022, the Court issued its Order Granting  
7 Final Approval of Class Action Settlement, Approval of Plan of Allocation, Award of Attorneys’  
8 Fees and Expenses, and Awards to Plaintiffs Pursuant to 15 U.S.C. §78u-4(a)(4).

9 ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

10 1. This Judgment incorporates by reference the definitions in the SASS, and all terms  
11 used herein shall have the same meanings as set forth in the SASS, unless otherwise stated herein.

12 2. This Court has jurisdiction over the subject matter of the Action and over all parties  
13 to the Action, including all members of the Class.

14 3. Accordingly, the Court authorizes and directs implementation and performance of  
15 all the terms and provisions of the SASS, as well as the terms and provisions hereof. The Action  
16 and all claims contained therein are dismissed with prejudice as to the Plaintiffs, and the other  
17 Class Members and as against each and all of the Released Defendant Parties. The Settling Parties  
18 are to bear their own costs except as otherwise provided in the SASS.

19 4. No Person shall have any claim against the Plaintiffs, Lead Counsel, or the Claims  
20 Administrator, or any other Person designated by Lead Counsel based on determinations or  
21 distributions made substantially in accordance with the SASS and the Settlement contained therein,  
22 the Plan of Allocation, or further order(s) of the Court.

23 5. Upon the Effective Date, the Plaintiffs, and each of the Class Members shall be  
24 deemed to have, and by operation of this Judgment shall have, fully, finally and forever waived,  
25 released, discharged, and dismissed each and every one of the Released Claims against each and  
26 every one of the Released Defendant Parties with prejudice on the merits, whether or not the  
27 Plaintiffs, or such Class Member executes and delivers the Proof of Claim and whether or not the  
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1 Plaintiffs, or each of the Class Members ever seeks or obtains any distribution from the Settlement  
2 Fund. Claims to enforce the terms of the SASS are not released.

3 6. Upon the Effective Date, the Defendants and each and every Released Defendant  
4 Party shall be deemed to have, and by operation of this Judgment shall have, fully, finally and  
5 forever waived, released, discharged, and dismissed the Released Plaintiff Parties from all  
6 Released Defendants' Claims (including, without limitation, Unknown Claims). Claims to enforce  
7 the terms of the SASS are not released.

8 7. Upon the Effective Date, the Plaintiffs, all Class Members and anyone claiming  
9 through or on behalf of any of them are forever barred and enjoined from commencing, instituting,  
10 asserting or continuing to prosecute any action or proceeding in any court of law or equity,  
11 arbitration tribunal, administration forum or other forum of any kind any of the Released Claims  
12 (including, without limitation, Unknown Claims) against any of the Released Defendant Parties.

13 8. Without affecting the finality of this Judgment in any way, this Court hereby retains  
14 continuing jurisdiction over: (a) implementation of the Settlement and any award or distribution  
15 of the Settlement Fund, including interest earned thereon; (b) disposition of the Settlement Fund;  
16 and (c) all parties hereto for the purpose of construing, enforcing and administering the Settlement.

17 9. The Court finds that during the course of the Action, the Settling Parties and their  
18 respective counsel at all times complied with the requirements of Federal Rule of Civil Procedure  
19 11.


20 10. Without further order of the Court, the Settling Parties may agree to reasonable  
21 extensions of time to carry out any of the provisions of the SASS.

22 11. The Court directs immediate entry of this Judgment by the Clerk of the Court.

23 12. The Court's orders entered during this Action relating to the confidentiality of  
24 information shall survive this Settlement.

25 IT IS SO ORDERED.

26 DATED: 7/21/2022

  
27 THE HONORABLE HAYWOOD S. GILLIAM, JR.  
28 UNITED STATES DISTRICT JUDGE