

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FRANK MICHOLLE, Individually and on : Civil Action No. 1:17-cv-00210-VSB-GWG
Behalf of All Others Similarly Situated, : **(Consolidated)**
: CLASS ACTION
Plaintiff, :
vs. :
OPHTHOTECH CORPORATION, DAVID R. :
GUYER and SAMIR PATEL, :
Defendants. :
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ORDER APPROVING PLAN OF ALLOCATION

This matter having come before the Court on September 8, 2022, on Lead Plaintiff's motion for approval of the Plan of Allocation in the above-captioned action; the Court having considered all papers filed and proceedings had herein and otherwise being fully informed of the matter;

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

1. This Order incorporates by reference the definitions in the Stipulation of Settlement dated September 8, 2021 (the "Stipulation"), and all capitalized terms used, but not defined herein, shall have the same meanings as set forth in the Stipulation.
2. Pursuant to and in full compliance with Rule 23 of the Federal Rules of Civil Procedure, this Court hereby finds and concludes that due and adequate notice was directed to all persons who are Class Members who could be identified with reasonable effort, advising them of the Plan of Allocation and of their right to object thereto, and a full and fair opportunity was accorded to all persons and entities who are Class Members to be heard with respect to the Plan of Allocation.
3. The Court finds and concludes that the formula for the calculation of the claims of Authorized Claimants which is set forth in the Notice of Pendency and Proposed Settlement of Class Action (the "Notice") sent to Class Members provides a fair and reasonable basis upon which to allocate the proceeds of the Net Settlement Fund established pursuant to the Stipulation among the Class Members, with due consideration having been given to administrative convenience and necessity.
4. This Court finds and concludes that the Plan of Allocation, as set forth in the Notice, is, in all respects, fair and reasonable and the Court approves the Plan of Allocation.

SO ORDERED.

Dated: September 16, 2022
New York, New York



Vernon S. Broderick
United States District Judge