

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

<b>In Re:</b>  <b>DISPOSABLE CONTACT LENS ANTITRUST LITIGATION</b>	<b>Case No. 3:15-md-2626-HES-JRK</b>  <b>Judge Harvey E. Schlesinger Magistrate Judge James R. Klindt</b>
<b>THIS DOCUMENT RELATES TO:</b> <b>All Class Actions</b>	

**ORDER EXTENDING THE DEADLINE TO FILE CLAIMS FOR SETTLEMENTS  
WITH BAUSCH & LOMB, INC. AND COOPERVISION, INC.**

WHEREAS, the Action<sup>1</sup> is pending before this Court;

WHEREAS, Plaintiffs<sup>2</sup> have entered into and executed Stipulation and Agreement of Settlements (“Settlement Agreements”) with Bausch & Lomb Incorporated (“B&L”) and CooperVision, Inc. (“CVI,” together with B&L, the “Settling Defendants,” and together with Plaintiffs, the “Settling Parties”), which, if finally approved by the Court, will result in the settlement of all claims against B&L and CVI;

WHEREAS, in full and final settlement of the claims asserted against B&L in this Action, B&L agreed to pay the amount of \$10,000,000 and to provide limited cooperation as set forth in the Settlement Agreement;

WHEREAS, in full and final settlement of the claims asserted against CVI in this Action, CVI agreed to pay the amount of \$3,000,000 (together with the B&L settlement, the “Settlement Funds”), and to provide limited cooperation as set forth in the Settlement Agreement;

WHEREAS, Plaintiffs, having made an application, pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, for an order granting final approval of the Settlement Agreements, which sets forth the terms and conditions of the Settlement of the Action against B&L and CVI and for dismissal of the Action against CVI and B&L with prejudice upon the terms and conditions set forth in the Settlement Agreements;

WHEREAS, the Court has previously certified litigation classes pursuant to Fed. R. Civ. P. 23 (ECF No. 940);

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<sup>1</sup> As defined in the Settlement Agreements, the “Action” means the above-captioned litigation pending in the United States District Court for the Middle District of Florida, Jacksonville Division, and any other actions that may be transferred or consolidated into this litigation.

<sup>2</sup> As defined in the Settlement Agreements, “Plaintiffs” are Rachel Berg, Miriam Pardoll, Jennifer Sineni, Elyse Ulino, Susan Gordon, Cora Beth Smith, Brett Watson, Tamara O’Brien, Sheryl Marean, Catherine Dingle, Amanda Cunha, Alexis Ito, Kathleen Schirf, John Machikawa, and Joseph Felson. Pamela Mazzarella was a Plaintiff in the CVI settlement, but not the B&L settlement.

WHEREAS, the Court has appointed Scott+Scott Attorneys at Law LLP, Hausfeld LLP, and Robins Kaplan, LLP (“Lead Counsel”) as class counsel (ECF No. 940);

WHEREAS, the Court has appointed Rachel Berg, Miriam Pardoll, Jennifer Sineni, Elyse Ulino, Susan Gordon, Cora Beth Smith, Brett Watson, Tamara O’Brien, Sheryl Marean, Catherine Dingle, Amanda Cunha, Alexis Ito, Kathleen Schirf, John Machikawa, and Joseph Felson as class representatives (ECF No. 940);

WHEREAS, the Settling Parties have agreed to the entry of this [Proposed] Final Approval Order of Settlement and Final Judgment and Order of Dismissal with Prejudice as to B&L and CVI;

WHEREAS, “Released Parties” has the same meaning as set forth in the Settlement Agreements;

WHEREAS, by Orders dated July 10, 2018 and October 8, 2019 (the “Preliminary Approval Orders”) this Court: (a) preliminarily approved the Settlement Agreements; (b) preliminarily certified the Settlement Classes; (c) ordered that notice of the Settlement Agreements be provided to potential members of the Settlement Classes; (d) provided members of the Settlement Classes with the opportunity either to exclude themselves from the Settlement Classes or to object to any of the proposed Settlement Agreements; and (e) designated Scott+Scott Attorneys at Law LLP, Hausfeld LLP, and Robins Kaplan, LLP as settlement class counsel for the Settlement Classes (“Class Counsel”) and Plaintiffs as class representatives of the Settlement Classes.

WHEREAS, by Notice dated November 21, 2019, this Court scheduled and held a hearing regarding final approval of the Settlements on February 25, 2020;

WHEREAS, due and adequate notice has been given to the Settlement Classes;

WHEREAS, the 90-day period provided by the Class Action Fairness Act, 28 U.S.C. §1715(d), has expired;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The Claims Administrator may continue to receive and process claims until March 3, 2020.

IT IS SO ORDERED *at Jacksonville, Florida*

DATED: *Feb 25, 2020*

  
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JUDGE HARVEY E. SCHLESINGER  
UNITED STATES DISTRICT JUDGE