

In re Teva Securities Litigation

U.S. Securities Litigation

Role BFA is sole Lead Counsel for Court-appointed Class Representatives Ontario Teachers' and Anchorage Police and Fire Retirement System.

Background Plaintiffs allege that the company and its senior management made materially false and misleading statements that concealed the fact that Teva had engaged in a multi-year scheme to exponentially increase generic drug prices by over 1,000% across numerous drugs.

Court U.S. District Court for the District of Connecticut

Case Number 17-CV-00558

Status Settled

BFA is sole Lead Counsel for Court-appointed Class Representatives Ontario Teachers' and Anchorage Police and Fire Retirement System.

Plaintiffs allege that the company and its senior management made materially false and misleading statements that concealed the fact that Teva had engaged in a multi-year scheme to exponentially increase generic drug prices by over 1000% across numerous drugs. Often, these increases were in lock-step with so-called competitors. The Court appointed Ontario Teachers' as Lead Plaintiff and approved its choice of BFA as Lead Counsel on July 11, 2017. In September 2019, the Court denied defendants' motion to dismiss and in December 2019, BFA filed a further amended complaint. In March 2020, the Court granted BFA's motion for consolidation. On March 9, 2021, Judge Underhill granted BFA's motion to certify a class of Teva investors. Judge Underhill also granted BFA's motion to appoint the Ontario Teachers' Pension Plan Board and Anchorage Police and Fire Retirement System as Class Representatives, and BFA as Class Counsel.

On June 2, 2022, BFA secured final approval of the \$420 million settlement after five years of hard-fought litigation, including the Court's certification of the class and the

Second Circuit's denial of Defendants' attempt to appeal class certification, completing intensive fact and expert discovery, and preparing a summary judgment motion. This represents the second largest class settlement in the history District of Connecticut (where the case was pending), the fourth-largest within the Second Circuit (excluding cases arising from restatements or the 2008-09 financial crisis), and among the five largest securities settlements against a pharmaceutical manufacturer. No objections were filed. BFA's effort required over 77,000 hours of work and navigating both Teva's financial distress and competing civil and criminal actions arising from the same alleged pricing conduct (including Teva USA's 2020 indictment by the U.S. Department of Justice). The resulting \$420 million settlement was the first meaningful recovery related to this conduct.

In approving the settlement, Judge Underhill described Teva as "the most complex securities case I've ever had" and a "remarkably complex" case that "required analysis of a very broad portfolio of drugs." Judge Underhill praised BFA's work, stating, "[t]he quality of the representation was excellent in the face of very quality defense . . . This was not a case that every law firm could handle, and I think it was done exceptionally well."