

# If You Purchased PROVIGIL<sup>®</sup>, NUVIGIL<sup>®</sup>, or Generic Provigil<sup>®</sup> (Modafinil) a CALIFORNIA ATTORNEY GENERAL Settlement Could Affect You

## INFORMATION ABOUT THE CALIFORNIA ATTORNEY GENERAL SETTLEMENT

A proposed \$69,000,000 Settlement has been reached in a lawsuit regarding the prescription drugs Provigil<sup>®</sup>, Nuvigil<sup>®</sup>, and generic Provigil<sup>®</sup> (modafinil). The California Attorney General's lawsuit asserts that defendants violated antitrust and consumer protection laws by delaying the availability of less expensive generic versions of Provigil<sup>®</sup>. Defendants have denied any wrongdoing.

***No one is claiming that Provigil<sup>®</sup>, Nuvigil<sup>®</sup>, or modafinil is unsafe or ineffective.***

### ***Who Is Eligible To Make A Claim?***

You are eligible to make a claim if you:

- Purchased and/or paid for Provigil<sup>®</sup>, Nuvigil<sup>®</sup>, and/or generic versions of Provigil<sup>®</sup> (modafinil),
- Were a resident of California at the time each purchase was made,
- Purchased by you as a caregiver or for your personal consumption, and
- Purchased between June 24, 2006 and December 31, 2012.

You are eligible even if your purchase was reimbursed fully or partially by insurance.

### ***What Does The Settlement Provide?***

The Defendants will pay a total of \$69 million into a Settlement Fund to settle all claims in the California Attorney General's lawsuit brought on behalf of the State of California and its consumers.

\$25,250,000 of the Settlement Fund has been allocated for claims by eligible consumers. This portion will be distributed to consumers who file a valid Claim Form. The amount of money you might receive will depend on the total number of eligible purchases made of Provigil<sup>®</sup>, Nuvigil<sup>®</sup>, or modafinil you claim multiplied by a fixed dollar amount per prescription.

The California Attorney General Settlement is independent of, and in addition to, a \$65,877,600 Settlement in a multistate Class Action Lawsuit involving Provigil<sup>®</sup> and modafinil. For more information about the Class Action Lawsuit and its multistate Settlement, please visit [www.ProvigilSettlement.com](http://www.ProvigilSettlement.com). Please note that, if eligible, you may submit a claim in both the California Attorney General Settlement and the Class Action Lawsuit.

### ***How do I get a payment?***

You must submit a Claim Form by **January 15, 2020** to be eligible for a payment. The Claim Form, and instructions on how to submit it, are available at [www.ProvigilSettlement.com](http://www.ProvigilSettlement.com) or by calling 1-877-241-7503.

### ***What are my other rights?***

If you do not want to be legally bound by the Settlement, you must exclude yourself. The exclusion deadline is December 6, 2019. If you do not exclude yourself, you will not be able to sue the defendants for any claim relating to those in the lawsuit. If you stay in the Settlement, you may object to the Settlement by January 15, 2020. Please review the requirements for exclusion and objection by visiting [www.ProvigilSettlement.com/CA](http://www.ProvigilSettlement.com/CA) or calling 1-877-241-7503.

The Court will hold a hearing at **10:00 a.m. Eastern Standard Time on February 26, 2020** to consider whether to approve the Settlement, any objections, and any other issues related to the Settlement. You or your own lawyer may ask to appear and speak at the hearing at your own expense. All deadlines may be amended by the Court, so please check the website noted below for updates.

**FOR MORE INFORMATION AND A CLAIM FORM:  
VISIT [WWW.PROVIGILSETTLEMENT.COM/CA](http://WWW.PROVIGILSETTLEMENT.COM/CA) OR CALL 1-877-241-7503.**