

MCKESSON TPP 2nd DISTRIBUTION
FREQUENTLY ASKED QUESTIONS
QUESTIONS ABOUT THE 2ND DISTRIBUTION

1. *Who is eligible to participate in the 2nd distribution?*

All TPP claimants that have previously cashed their prior distribution checks or requested a timely reissue have been notified by opt-in letter about settlement funds available for a further distribution. Claimants will have 30 days from the date of the opt-in letter to affirmatively choose to participate in the second distribution.

2. *Can I request a reissue of my 1st distribution check now to qualify for participation in the 2nd distribution?*

No. Checks from the 1st distribution cannot be reissued anymore.

3. *Why do I have to opt-in to participate in the 2nd distribution?*

Due to the limited size of the fund and the administrative burden a smaller check may represent to some claimants, we are asking for claimants to opt-in if they would like to participate in the second distribution.

4. *How will my payment be calculated?*

This distribution will be carried out on a strict pro rata basis. However, claimants will not receive a second distribution payment if their award amount is calculated to be less than \$1,000.00. We will not be able to calculate the exact amount of your payment until after the Response Due Date listed on the opt-in letters when we will know how many claimants will be participating.

QUESTIONS ABOUT YOUR CHECK

1. *Why did I receive this check?*

The settlement of this case resulted in a payment of damages for all persons in the class. You reimbursed for prescription drugs based on the BBAWP published by FDB or the AWP published by Medi-Span during the relevant time period. You are therefore entitled to receive this check as your share of the settlement. In exchange for settlement, any claims you may have against McKesson arising from this case have been released, whether or not you cash this check. **All TPP claimants that previously cashed their prior distribution checks or requested a reissue were given 30 days to opt in for a second distribution.**

2. *How was my payment calculated?*

How much you receive from this Settlement depends on the volume and amount of claims submitted by other TPP Settlement Class Members. Residual TPP funds have

been distributed on a pro rata basis to all claimants that timely opt in to a second distribution except that no claimants would receive a second distribution payment unless their awards amount to at least \$1,000.00. If unclaimed funds remain, the Settlement Administrator shall issue checks to the opt-in participants pursuant to the “Order Approving Distribution of Residual Funds to the McKesson Subclasses.”

3. ***Is there a time limit when I must cash my check?***

Yes your check must be cashed within 90 days of the date of the check. If you deposit your check after the stale date and the funds are not collected, your financial institution may impose penalties on your account. Please consult your financial institution concerning such penalties.

4. ***Where do I send my reissue request for the distribution check?***

McKesson Settlement Administrator
c/o Rust Consulting, Inc.
P.O. Box 24607
West Palm Beach, FL 33416

5. ***What is the time frame for you to reissue my check?***

We estimate that checks will be reissued within 30 days of our receipt of a reissue request.

6. ***I have a question about my taxes, what should I do?***

Please consult your tax advisor.

BASIC INFORMATION

7. ***What is the lawsuit about?***

Prescription drug payments are often based on list prices, or benchmarks. The most common pricing benchmark used to reimburse brand prescription drugs is the Average Wholesale Price or “AWP.” Several companies, including FDB and Medi-Span, publish the AWP of prescription drugs in printed and electronic databases. During the time period of this lawsuit, FDB often determined the AWP for many drugs by using a “mark-up factor.” The lawsuit claims that FDB and McKesson unlawfully conspired to inflate the mark-up factor, thereby wrongfully increasing the published AWP for many drugs. According to the lawsuit, this in turn, increased the prices paid by TPPs that used FDB as the source for AWP for the Subject Drugs. A detailed list of the Subject Drugs, including drug name, NDC Code and manufacturer, is available by clicking on the link at the left entitled “Subject Drugs” or you can request a hard copy from the Settlement Administrator at the address listed in Question 8.

McKesson denies any wrongdoing and has settled this lawsuit to avoid further litigation. FDB also denies any liability and has entered into a separate proposed

settlement, which is the subject of a separate notice. A related lawsuit against Medi-Span, alleging that it published falsely inflated AWP's based on the information FDB provided it, has also settled without any admission of wrongdoing. More information about the proposed settlement terms and the FDB/Medi-Span settlement classes can be obtained at www.AWPclassactions.com.

8. *Why is this a class action?*

In a class action lawsuit, one or more people called "class representatives" sue on behalf of people who have similar claims. The people together are a "class" or "class members." A court must determine if a lawsuit should proceed as a class action. If it does, a trial then decides the lawsuit for everyone in the class.

Sometimes, the parties may settle without a trial. The Parties here have agreed to a Settlement that includes a national class of TPPs who reimbursed, or incurred obligations to reimburse for the drugs at issue. The Settlement also includes a national class of consumers who paid a percentage co-pay towards the purchase of these drugs as well as a national class of uninsured consumers who paid the full purchase price of the drugs.

9. *Why was a Settlement agreed to?*

A settlement is an agreement between a plaintiff and a defendant following extended negotiation. Settlements conclude litigation but this does not mean that the court has ruled in favor of the plaintiff or the defendant. A settlement allows both parties to avoid the cost and risk of a trial and permits both parties to establish a just, fair and final resolution that is best for all involved. The class representatives and their attorneys decide that a settlement is the best result for all class members and the court is asked to approve the settlement as fair, reasonable and adequate.

The Court's approval of the Settlement means McKesson will no longer be legally responsible for the claims made in this lawsuit. The lawyers representing the Class ("Class Counsel") and McKesson engaged in extensive, arms-length negotiations regarding the issues presented in this lawsuit and the terms of a settlement. The Parties have settled the claims in this lawsuit and Class Counsel believes the Settlement is fair, reasonable and adequate and in the best interests of the Class.

10. *Who is a Class Member?*

Generally speaking, you are a member of the Settlement Class if you are:

- A TPP that reimbursed for prescription drugs based on the BBAWP published by FDB or the AWP published by Medi-Span. Additionally, you must have purchased the Subject Drugs between August 1, 2001 through March 15, 2005.

A TPP is an entity that is:

- (a) A party to a contract, issuer of a policy, or sponsor of a plan, and

(b) At risk, under such contract, policy, or plan, to pay or reimburse all or part of the cost of prescription drugs dispensed to covered natural persons. TPPs include insurance companies, union health and welfare benefit plans and self-insured employers. Entities with self-funded plans that contract with a health insurance company or other entity to serve as a third-party claims administrator to administer their prescription drug benefits qualify as TPPs. Private plans that cover government employees and/or retirees are also included.

There are a number of other people who are not included in the Settlement Class. These people include:

- the Defendants and their present or former, direct and indirect, parents, subsidiaries, divisions, partners and affiliates; and
- the United States government, its officers, agents, agencies and departments; the States of the United States and their respective officers, agents, agencies and departments; and all other local governments and their officers, agents, agencies and departments.

Also presumptively excluded from the Settlement Class are those entities that own or operate businesses referred to commonly as pharmacy benefit managers (“PBMs”). These PBMs, as part of their business operation, contract with Third-Party Payors to perform certain services in the administration and management of prescription drug benefit plans and are not members of the Settlement Class unless they are the fiduciary of the Third Party-Payors or by contract assumed, in whole or in part, the insurance risk of that prescription drug benefit during the period from August 1, 2001 through March 15, 2005.

11. *How do I know if I am included in the Settlement?*

Unless you excluded yourself, you are a member of the Settlement Class and will be included in the Settlement if you:

- reimbursed for prescription drugs based on the BBAWP published by FDB or the AWP published by Medi-Span during the relevant time period.

12. *How do I exclude myself from the Class?*

It is no longer possible to exclude yourself from the Class or the Settlement made on behalf of the Settlement Class. Notice of this lawsuit and the claims against McKesson was previously provided to potential members of the Settlement Class. If you provided the Settlement Administrator with written notification of your intent to exclude yourself from the Class litigation on or before November 15, 2008, you were excluded from the Settlement unless you timely advised the Settlement Administrator that you wanted to opt back into the Settlement Class. All opt-in requests needed to be delivered or postmarked by June 3, 2009.

13. What does the Settlement provide?

McKesson will pay at least \$288,000,000 to TPPs, net of attorneys' fees and expenses awarded by the Court.

14. May I Object to the Settlement?

No. The deadline for objecting to the settlement has passed. Objections needed to be filed with the parties and the court by June 8th, 2009.

15. Is it too late to file a claim?

The official court-ordered deadline for filing a claim has now passed. Claims needed to be postmarked by July 9th, 2009. In addition, settlement funds have been distributed to eligible TPP class members. Therefore, it is too late to file a new claim.

THE LAWYERS REPRESENTING YOU

16. Do I have a lawyer representing my interests in this case?

Yes. The Court has appointed the following law firms to represent you and other Class Members:

Hagens Berman Sobol Shapiro LLP Steve W. Berman Thomas M. Sobol Sean R. Matt Barbara A. Mahoney 1301 Fifth Avenue, Suite 2900 Seattle, WA 98101 www.hagens-berman.com	Wexler Wallace LLP Kenneth A. Wexler Jennifer Fountain Connelly 55 W. Monroe Street, Suite 3300 Chicago, IL 60603 www.wtwlaw.us
Spector Roseman & Kodroff, PC Jeffrey L. Kodroff 1818 Market Street, Suite 2500 Philadelphia, PA 19103 www.srk-law.com	Edelson & Associates LLC Marc H. Edelson 45 West Court Street Doylestown, PA 18901

17. How will the lawyers be compensated?

The lawyers who were appointed by the Court to represent you in this lawsuit are called Class Counsel. You will not be charged personally for these lawyers, but they will ask the Court for an award of attorneys' fees, expenses and costs associated with the litigation not to exceed 30% of the Settlement Amount, plus interest, to be paid out of the \$350 million Settlement Amount. Class Counsel will also ask the Court to award a special payment to the named plaintiffs to compensate for the time spent prosecuting this case on behalf of the Class. More information about Class Counsel and their experience is available at the websites listed above.

GETTING MORE INFORMATION

18. *Where do I obtain more information?*

More details are in the Complaint filed by Class Counsel, the Answer filed by McKesson, and the other legal documents that have been filed with the Court in this lawsuit. These documents include the Amended Settlement Agreement and Release, which sets forth in great detail the Settlement's provisions. You can look at and copy these legal documents at any time during regular office hours at the Office of the Clerk of Court, John Joseph Moakley U.S. Courthouse, 1 Courthouse Way, Suite 2300, Boston, Massachusetts 02210. These documents are also available at the link on the left entitled "Court Documents". .

In addition, if you have any questions about the lawsuit, you may:

Call:	Toll-Free 1-877-625-9414
Write:	McKesson Claims Administrator c/o Rust Consulting, Inc. P.O. Box 24607 West Palm Beach, FL 33416
Email:	info@McKessonAWPSettlement.com
Visit:	www.McKessonAWPSettlement.com