

United States Court of Appeals For the First Circuit

Nos. 14-2071,
15-1250

IN RE: LOESTRIN 24 FE ANTITRUST LITIGATION

AMERICAN SALES COMPANY, LLC, on behalf of itself and all others
similarly situated; ROCHESTER DRUG CO-OPERATIVE, INC.,
on behalf of itself and all others similarly situated,

Plaintiffs, Appellants,

CITY OF PROVIDENCE, RHODE ISLAND, individually and on behalf
of itself and all others similarly situated; UNITED FOOD AND
COMMERCIAL WORKERS LOCAL 1776 & PARTICIPATING EMPLOYERS HEALTH
AND WELFARE FUND, individually and on behalf of all others
similarly situated; NEW YORK HOTEL TRADES COUNCIL & HOTEL
ASSOCIATION OF NEW YORK CITY, INC. HEALTH BENEFITS FUND,
individually and on behalf of all others similarly situated;
FRATERNAL ORDER OF POLICE, FORT LAUDERDALE LODGE 31,
INSURANCE TRUST FUND, individually and on behalf of all others similarly situated;
ELECTRICAL WORKERS 242 & 294 HEALTHCARE &
WELFARE FUND, individually and on behalf of all others similarly
situated; DENISE LOY, a resident citizen of the State of Florida, individually and on behalf of
all others similarly
situated; MELISA CHRESTMAN, a resident citizen of the State of
Tennessee, individually and on behalf of all others similarly
situated; MARY ALEXANDER, a resident citizen of the State of
North Carolina, individually and on behalf of all others similarly situated; PAINTERS
DISTRICT COUNCIL NO. 30 HEALTH &
WELFARE FUND, individually and on behalf of all others similarly
situated; TEAMSTERS LOCAL 237 WELFARE BENEFITS FUND, individually and on behalf
of all others similarly situated;
LABORERS INTERNATIONAL UNION OF NORTH AMERICA LOCAL 35
HEALTH CARE FUND, on behalf of itself and all others similarly
situated; ALLIED SERVICES DIVISION WELFARE FUND, on behalf of
itself and all others similarly situated; WALGREEN CO.;
THE KROGER CO.; SAFEWAY, INC.; ALBERTSON'S, LLC;
HEB GROCERY COMPANY L.P.,

Plaintiffs,

v.

WARNER CHILCOTT COMPANY, LLC; WARNER CHILCOTT PUBLIC LIMITED COMPANY; WARNER CHILCOTT HOLDINGS COMPANY III, LTD.; WARNER CHILCOTT CORPORATION, LLC, f/k/a Warner Chilcott Company, Inc.; WARNER CHILCOTT (US), LLC; WARNER CHILCOTT SALES (US), LLC; WARNER CHILCOTT LABORATORIES IRELAND LIMITED; WARNER CHILCOTT COMPANY; ACTAVIS, INC., f/k/a WATSON PHARMACEUTICALS, INC.; WATSON LABORATORIES, INC.; LUPIN LTD.; LUPIN PHARMACEUTICALS, INC.,

Defendants, Appellees.

JUDGMENT

Entered: February 22, 2016

This cause came on to be heard on appeal from the United States District Court for the District of Rhode Island and was argued by counsel.

Upon consideration whereof, it is now here ordered, adjudged and decreed as follows: The district court's judgment is vacated, and the case is remanded for further proceedings consistent with the opinion issued this day. No costs are awarded.

By the Court:

/s/ Margaret Carter, Clerk

cc:

Hon. William E. Smith
David DiMarzio, Clerk, United States District Court for the District of Rhode Island
Michael Morris Buchman
Donald Alan Migliori
John Andrew Ioannou
Neill Wilson Clark
Patrick C. Lynch
Peter R. Kohn
Jeffrey B. Pine
Thomas M. Sobol
Michael J. Kane
Joseph H. Meltzer
David F. Sorensen
Kristen Johnson

Steve D. Shadowen
Natalie Finkelman Bennett
Karen Lesser-Grenon
J. Douglas Richards
Christopher Lometti
Sharon K. Robertson
Jayne A. Goldstein
Ellen Meriwether
Joey Paul Leniski Jr.
James R. Dugan II
Dianne Martha Nast
Frank R. Schirripa
Douglas Robert Plymale
David Baylis Franco
Scott E. Perwin
S. Michael Levin
Anna Theresa Neill
Lauren C. Ravkind
Paul J. Skiermont
Sarah Elizabeth Spires
John A. Tarantino
John Mark Gidley
Peter J. Carney
Patricia K. Rocha
Nicole J. Benjamin
Robert A. Milne
Alison Hanstead
Jack E. Pace III
William Robert Landry
Leiv H. Blad Jr.
Zarema A. Jaramillo
David A. Balto
Janet T. Mills
Joel R. Marcus
Jonathan E. Nuechterlein
Mark S. Hegedus
Barry L. Refsin
Monica L. Rebuck
Kenneth A. Wexler
Michael Carrier
Richard Abbott Samp
Christopher T. Holding
William M. Jay
Brian Timothy Burgess
Burt M. Rublin
Stephen J. Kastenber

Ashley E. Bass
Andrew D. Lazerow
Daniel Simon Francis
Donald Bruce Hoffman
Jeffrey L. Kodroff
Deborah R. Gross
James Gerard Stranch IV