

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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NICHOLS, et al., v. SMITHKLINE  
BEECHAM CORPORATION

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Master File No. 00-CV-6222  
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THIS DOCUMENT RELATES TO:  
ALL ACTIONS

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**CORRECTED**

**DISTRIBUTION PLAN**

The document describes the manner in which the Settlement Fund will be distributed. The total amount of the Settlement Fund is \$65 million. Court-approved attorneys' fees, expenses and other Court-approved payments will be deducted from the Settlement Fund.

This amount remaining in the Settlement Fund will be termed the "Net Settlement Fund." The Net Settlement Fund will be divided as follows: 72.5 percent of the Net Settlement Fund will be set aside to cover claims and notice and settlement administrative expenses relating to claims by third party payors (the "TPP Pool"); and 27.5 percent of the Net Settlement Fund will be set aside to cover claims and notice and settlement administrative expenses relating to claims by consumers (the "Consumer Pool").

Any Court-approved awards to the TPP Class Representatives will be paid from the TPP Pool. Any Court-approved awards to the Consumer Representatives will be paid from the Consumer Pool.

Additionally, as described in the Settlement Agreement, under certain circumstances, if there are any Third Party Payor opt-outs, the amounts due back to GSK will be repaid from the TPP Pool. Similarly, if there are any Consumer opt-outs, the amounts due back to GSK will be repaid from the Consumer Pool.

After the deduction of expenses as described above, valid claims from Consumers will then be paid on a *pro rata* basis from the Consumer Pool based on the amount of each claimant's purchases of Paxil or generic paroxetine. Similarly, valid claims by TPP will be paid on a *pro rata* basis from the TPP Pool.

Each Class member who files an approved claim is eligible to receive a payment totaling up to 100% of that Class member's out-of-pocket costs to purchase Paxil or generic paroxetine. For example, if a class member files an approved claim demonstrating that the class member spent \$100 on Paxil during the Class period, that class member is eligible to receive up to \$100 from either the TPP or Consumer Fund, as appropriate.

If undistributed money remains in the Consumer Pool after all approved claims have been paid to the maximum amount, Plaintiffs Lead Counsel will make an application to the Court for an Order directing an appropriate disposition of the Consumer residual funds.

Similarly, if undistributed money remains in the TPP Pool after all approved claims have been paid to the maximum amount, Plaintiffs Lead Counsel will make an application to the Court for an Order directing an appropriate disposition of the TPP residual funds.