

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

_____ X	
MARY K. JONES, Individually and on Behalf	: Civil Action No. 1:10-cv-03864-AKH
of All Others Similarly Situated,	: :
	: <u>CLASS ACTION</u>
Plaintiff	: :
	: STIPULATION AND [REDACTED] ORDER
vs.	: DIRECTING CLASS NOTICE
	: PROCEDURES
PFIZER INC., et al.,	: :
	: :
Defendants.	: :
_____ X	

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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 11/17/14

WHEREAS, the parties have met and conferred regarding the appropriate procedures for notifying the Class (defined below):

THEREFORE, the Court orders as follows:

1. The Court has previously certified this action as a class action under Rule 23 of the Federal Rules of Civil Procedure in its Order Granting Plaintiffs' Motion for Class Certification, dated March 29, 2012.

2. For purposes of giving notice, the "Class" consists of:

All persons who purchased domestically or purchased on domestic exchanges Pfizer common stock between 1/19/06 and 1/23/09, inclusive, and were damaged thereby, excluding defendants and their families, directors and officers of Pfizer, and their families and affiliates.

3. The procedures for giving notice to the Class ordered herein comply with the requirements of due process and with Rule 23 of the Federal Rules of Civil Procedure and constitute the best notice practicable under the circumstances.

4. The firm Gilardi & Co. LLC ("Notice Administrator") is appointed to supervise and administer the notice procedure.

5. Pfizer Inc. ("Pfizer") shall cause to be produced stock transfer records for the period January 19, 2006 to January 23, 2009 (the "Class Period") to the Notice Administrator within ten days of this Order.

6. The Notice Administrator shall compile a list of names and addresses of purchasers of Pfizer common stock during the Class Period as they appear on Pfizer's stock transfer records.

7. The Notice Administrator shall, not later than ten business days from receipt of Pfizer's stock transfer records (the "Notice Date"), send through the United States mail via first-class mail the form of Notice of Pendency of Class Action (the "Notice"), substantially in the form attached hereto as Exhibit 1, to each purchaser identified on said list. The Notice Administrator shall

also mail the Notice to the list of every nominee/broker registered with the Securities and Exchange Commission.

8. Nominees who purchased the common stock of Pfizer for the beneficial ownership of members of the Class during the Class Period shall send the Notice to all beneficial owners of such Pfizer common stock within ten days after receipt thereof, or send a list of the names and addresses of such beneficial owners to the Notice Administrator within ten days of receipt thereof, in which event the Notice Administrator shall promptly mail the Notice to such beneficial owners. Plaintiffs' Lead Counsel shall, if requested, reimburse banks, brokerage houses or other nominees solely for their reasonable out-of-pocket expenses incurred in providing notice to beneficial owners who are members of the Class, which expenses would not have been incurred except for the sending of such Notice, subject to further order of this Court with respect to any dispute concerning such compensation.

9. The Notice Administrator shall cause to be published on one occasion in the national edition of Investor's Business Daily and on the *BusinessWire* the Summary Notice of Pendency of Class Action ("Summary Notice"), substantially in the form attached hereto as Exhibit 2, not later than seven days after the Notice Date, which will give those who did not receive such Notice an opportunity to request it and to protect their rights in this action.

10. Among other things, the Notice shall provide an address for the purpose of receiving requests for exclusion from the Class and requests for additional copies of the Notice from, *inter alia*, nominee purchasers of Pfizer securities. Among other things, the Summary Notice shall contain information on how to obtain the Notice. After the period allowed for Class members to request exclusion has expired, plaintiffs shall promptly file a list of all such requests for exclusion and serve copies of the same on all parties.

11. The deadline for exclusion from the Class shall be 45 days after the Notice Date.

IT IS SO STIPULATED.

DATED: October 24, 2014

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DATED: October 24, 2014

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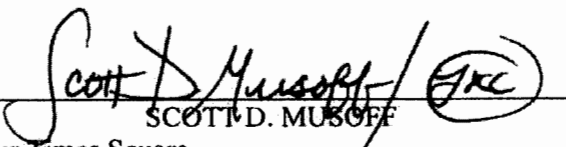
  
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DATED: October 24, 2014

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STUART SARNOFF

  
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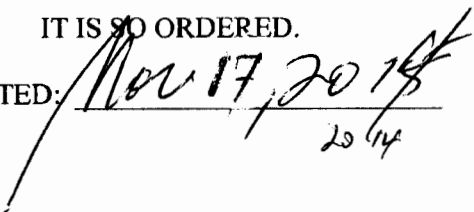
7 Times Square  
New York, NY 10036  
Telephone: 212/326-4307  
212/326-2061 (fax)  
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ssarnoff@omm.com

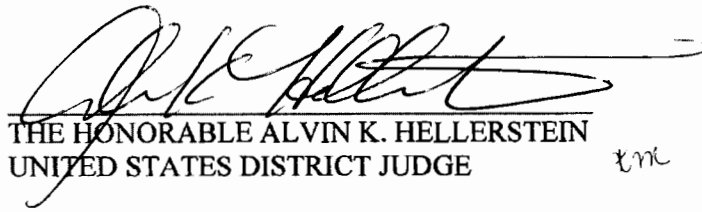
Attorneys for Defendant Allen Waxman

\* \* \*

IT IS SO ORDERED.

DATED:

  
Nov 17, 2014  
2014

  
THE HONORABLE ALVIN K. HELLERSTEIN  
UNITED STATES DISTRICT JUDGE

tnl



# **EXHIBIT 1**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

<hr/>		X
MARY K. JONES, Individually and on Behalf	:	Civil Action No. 1:10-cv-03864-AKH
of All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff	:	
	:	NOTICE OF PENDENCY OF CLASS
vs.	:	ACTION
	:	
PFIZER INC., et al.,	:	
	:	
Defendants.	:	
<hr/>		X

TO: ALL PERSONS WHO PURCHASED PFIZER INC. COMMON STOCK DURING THE PERIOD JANUARY 19, 2006 THROUGH JANUARY 23, 2009, INCLUSIVE

This Notice is given pursuant to Rule 23 of the Federal Rules of Civil Procedure and an order of the United States District Court for the Southern District of New York. This Notice is being sent to you because you may be a member of the Class described below. The purpose of this Notice is to inform you of the pendency of this lawsuit, how it might affect your rights and what steps you may take in relation to it. To date, no findings of fault or liability have been made as to any of the parties. Depending on the eventual outcome of this action, Class members may or may not recover money damages on the claims asserted. This Notice is not an admission by defendants or an expression of any opinion by the Court as to the merits of any of the claims asserted by plaintiffs in this litigation. Defendants have denied plaintiffs' claims and maintain that they are not liable for the injury by plaintiffs. If you do not meet the Class definition, this Notice does not apply to you and you may disregard it.

Beginning on May 11, 2010, a number of class action lawsuits were filed against Pfizer Inc. ("Pfizer") and certain Pfizer officers (collectively, the "defendants") by current or former Pfizer stockholders alleging violations of the federal securities laws. The cases were consolidated before the Honorable Alvin K. Hellerstein in the United States District Court for the Southern District of New York, and the case is presently styled *Mary K. Jones, Individually and on Behalf of All Others Similarly Situated v. Pfizer Inc., et al.*, Civil Action No. 1:10-cv-03864-AKH (the "Litigation"). By an order dated November 4, 2010, the Court appointed Stichting Philips Pensioenfonds as "lead plaintiff" pursuant to the requirements of the Private Securities Litigation Reform Act of 1995.

On March 29, 2012, the Court issued an order appointing Stichting Philips Pensioenfonds and Mary K. Jones as class representatives and certifying a "Class" that consists of:

All persons who purchased domestically or purchased on domestic exchanges Pfizer common stock between 1/19/06 and 1/23/09, inclusive, and were damaged thereby, excluding defendants and their families, directors and officers of Pfizer, and their families and affiliates.

All nominees who purchased or acquired Pfizer common stock during the period beginning on January 19, 2006 through and including January 23, 2009 for the beneficial ownership of another are requested to send this Notice to all such beneficial owners no later than ten days after receipt of this Notice. Additional copies of this Notice will be provided to such nominees upon written request sent to:

Pfizer Inc. Securities Litigation  
c/o Gilardi & Co. LLC  
Post Office Box 8040  
San Rafael, CA 94912-8040

In the alternative, all nominees are requested to send a list of the names and addresses of such beneficial owners to Gilardi & Co. LLC at the above address no later than ten days after receipt of this Notice. Gilardi & Co. LLC will thereafter mail copies of this Notice directly to all such beneficial owners. Counsel offers to prepay the reasonable costs of preparing a list of the names and addresses of such beneficial owners or of forwarding this Notice to beneficial owners in those cases where a nominee elects to forward notice, rather than provide a list of names and addresses to Gilardi & Co. LLC.

This Notice is sent to you in the belief that you may be a Class member in this Litigation; however, mere receipt of the Notice should not be construed to indicate that a determination has been made that you are a member of the Class. To remain a Class member, you are not required to do anything. If you remain a Class member you will be bound by any judgment in this Litigation, whether it is favorable or unfavorable. If you choose to remain a Class member, you may not pursue

a lawsuit on your own with regard to any of the claims assessed or issues decided in this Litigation.

If you wish, you may enter an appearance through your own counsel at your own expense.

If you want to be excluded from the Class, you must state your request in writing (including your full name and address) and sign your name. If you are signing on behalf of a Class member (such as an estate, corporation or partnership), please indicate your full name and the basis of your authority. Your request for exclusion must be mailed to Pfizer Inc. Securities Litigation, c/o Gilardi & Co. LLC, Post Office Box 8040, San Rafael, California 94912-8040. To be effective, your request for exclusion must comply with all of the above and be postmarked no later than \_\_\_\_\_, 2014 [45 days after the Notice Date]. Facsimile and email requests for exclusion are not acceptable. Requests for exclusion that do not comply with the above requirements will be invalid.

If you do properly exclude yourself from the Class, you will not be bound by any judgment in this Litigation, but you will also not be entitled to share any recovery that may result from it. If you properly request exclusion, you will be entitled to pursue any individual lawsuit, claim or remedy which you may have, at your own expense.

This Notice does not fully describe all of the claims and contentions of the parties. Complete copies of the pleadings, orders and other documents filed in this litigation may be examined and copied at any time during regular office hours at the office of the Clerk of Court, United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007, under Civil Action No. 1:10-cv-03864-AKH.

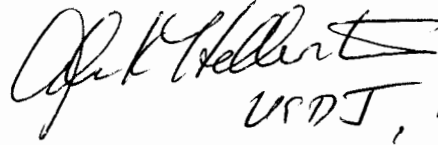
If you have any questions concerning the matter raised in this Notice, you may address them in writing to: Henry Rosen, Robbins Geller Rudman & Dowd LLP, 655 West Broadway, Suite 1900, San Diego, California 92101.

If you have any corrections or changes of name or address, you may address them in writing to: Pfizer Inc. Securities Litigation, c/o Gilardi & Co. LLC, Post Office Box 8040, San Rafael, California 94912-8040.

PLEASE DO NOT TELEPHONE OR CONTACT THE CLERK OF THE COURT REGARDING THIS NOTICE.

DATED: Nov 17, 2014

BY ORDER OF THE COURT

  
USDT, SDNY

# **EXHIBIT 2**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

_____	X	
MARY K. JONES, Individually and on Behalf	:	Civil Action No. 1:10-cv-03864-AKH
of All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff	:	
vs.	:	SUMMARY NOTICE OF PENDENCY OF
	:	CLASS ACTION
PFIZER INC., et al.,	:	
	:	
Defendants.	:	
_____	X	



TO: ALL PERSONS WHO PURCHASED PFIZER INC. COMMON STOCK DURING THE PERIOD JANUARY 19, 2006 THROUGH JANUARY 23, 2009, INCLUSIVE

Currently pending in the United States District Court for the Southern District of New York, is a class action brought against Pfizer Inc. (“Pfizer”) and certain individuals to recover damages for those who purchased Pfizer common stock between January 19, 2006 and January 23, 2009 (the “Class Period”). The lawsuit is captioned *Mary K. Jones, Individually and on Behalf of All Others Similarly Situated v. Pfizer Inc., et al.*, Civil Action No. 1:10-cv-03864-AKH. Plaintiffs have been certified by the Court to represent the following “Class”:

All persons who purchased domestically or purchased on domestic exchanges Pfizer common stock between 1/19/06 and 1/23/09, inclusive, and were damaged thereby, excluding defendants and their families, directors and officers of Pfizer, and their families and affiliates.

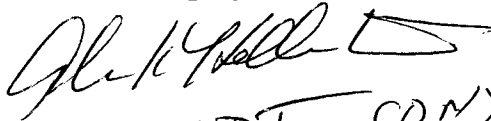
On \_\_\_\_\_, 2014, a Notice of Pendency of Class Action (the “Notice”) was mailed to persons who purchased Pfizer common stock during the Class Period, as reflected on the books and records of Pfizer and its transfer agent. The Notice contains important information regarding the rights of Class members, including the right to seek exclusion from the Class. If you believe you are a member of the Class as defined above, and if you have not received a copy of the Notice by mail, you are urged to request a copy free of charge by mailing your request to Pfizer Inc. Securities Litigation, c/o Gilardi & Co. LLC, Post Office Box 8040, San Rafael, California 94912-8040. You may download a copy of the Notice at [www.gilardi.com](http://www.gilardi.com).

Lead Counsel for plaintiffs and the Class are:

ROBBINS GELLER RUDMAN & DOWD LLP  
655 West Broadway, Suite 1900  
San Diego, California 92101

DATED: Nov 17, 2014

BY ORDER OF THE COURT

  
LOS ANGELES, CALIFORNIA

**Regan Karstrand**

---

**From:** NYSD\_ECF\_Pool@nysd.uscourts.gov  
**Sent:** Monday, November 17, 2014 4:29 PM  
**To:** CourtMail@nysd.uscourts.gov  
**Subject:** Activity in Case 1:10-cv-03864-AKH Jones et al v. Pfizer, Inc. et al Stipulation and Order

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**U.S. District Court**

**Southern District of New York**

**Notice of Electronic Filing**

The following transaction was entered on 11/17/2014 at 4:29 PM EST and filed on 11/17/2014

**Case Name:** Jones et al v. Pfizer, Inc. et al

**Case Number:** [1:10-cv-03864-AKH](#)

**Filer:**

**Document Number:** [291](#)

**Docket Text:**

**STIPULATION AND ORDER DIRECTING CLASS NOTICE PROCEDURES:** that the Court has previously certified this action as a class action under Rule 23 of the Federal Rules of Civil Procedure in its Order Granting Plaintiffs' Motion for Class Certification, dated March 29, 2012. The firm Gilardi & Co. LLC ("Notice Administrator") is appointed to supervise and administer the notice procedure, as further set forth in this order. The deadline for exclusion from the Class shall be 45 days after the Notice Date. (Signed by Judge Alvin K. Hellerstein on 11/17/2014) (tn)

**1:10-cv-03864-AKH Notice has been electronically mailed to:**

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Sidney Bashago sidney.bashago@dpw.com

Brant Duncan Kuehn brantkuehn@quinnemanuel.com

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Suite 1900  
San Diego, CA 92101

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Suite 700  
Dallas, TX 75204

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

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