

EXHIBIT N

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

In re WELLBUTRIN XL
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

INDIRECT PURCHASER ACTIONS

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) Civil Action No.: 2:08-cv-2433
)
) Honorable Mary A. McLaughlin
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**DECLARATION OF KIMBERLY C. WALKER IN SUPPORT OF PLAINTIFFS'
APPLICATION FOR ATTORNEYS' FEES, EXPENSES AND INCENTIVE AWARDS**

DECLARATION OF KIMBERLY C. WALKER

I, Kimberly C. Walker, declare as follows:

1. I am an attorney in good standing, duly licensed and admitted to the State Bars of Alabama and Mississippi, and a partner in the law firm The Gardner Firm, P.C.. I have personal knowledge of the facts stated in this declaration and, if called as a witness, I could and would testify competently to them. I make this declaration in support of my firm's request for attorneys' fees and reimbursement of litigation expenses, as set forth in Plaintiffs' Application for Attorneys' Fees, Expenses and Incentive Awards.

2. My firm is counsel of record in this case, and represents IBEW-NECA Local 505 Health and Welfare Plan. Attached as Exhibit 1 and incorporated herein by reference is the biography of the principal attorney from the firm who was involved in this case.

3. My firm kept files contemporaneously documenting all time spent, including tasks performed, and expenses incurred, and transmitted a summary of those reports to Co-Lead Class Counsel on a regular basis. All of the time and expenses reported by my firm were incurred for the benefit of the Indirect-Purchaser Plaintiffs (IPPs).

4. During the course of this litigation, my firm has been involved in a multitude of tasks and activities on behalf of the IPPs. These tasks and activities were performed in coordination with and/or at the direction of co-lead counsel. Such tasks included, but were not limited to: fact investigation and the filing of an initial complaint; responding to defendant's motions to dismiss; responding to discovery, including the collection, review and preparation of document production and the defense of plaintiff depositions. In addition, we made contributions to the plaintiffs' litigation fund.

5. My firm submitted our detailed time records to Co-Lead Class Counsel for submission to the Court *in camera*. These contemporaneous time records were regularly prepared and maintained by my firm. The hourly rates for my firm's partners, attorneys and professional support staff included in Exhibit 2 are their current rates, and are the usual and

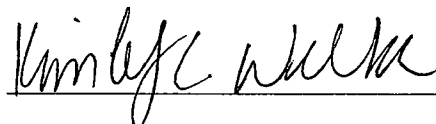
customary hourly rates charged for these professionals' services in similar complex litigation. These time records do not include any time devoted to preparing this declaration or otherwise pertaining to the Fee Petition.

6. The total number of hours reasonably expended on this litigation by my firm from inception to April 30, 2013 is 95.65 hours. The total lodestar for my firm at current rates is \$39,017.50. The lodestar calculation is based on my firm's current rates. Expense items are billed separately and are not duplicated in my firm's lodestar.

7. The expenses my firm incurred in litigating this action are reflected in the books and records of my firm. These books and records are prepared from expense vouchers, receipts, check records and other source materials and accurately reflect the expenses incurred.

8. My firm incurred a total of \$5,107.48 in unreimbursed expenses, all of which were reasonable and necessary for the prosecution of this litigation. Of this amount, \$5,000.00 was for assessment payments to the litigation fund Co-Lead Class Counsel established for the common expenses incurred in the prosecution of this case or direct payments to experts or other vendors made at the request of Co-Lead Counsel, and an additional \$107.48 was for non-common expenses incurred by my firm, such as travel, meals and lodging, copying, legal research, telephone, etc. A summary of those expenses by category is attached as part of Exhibit 2.

I declare under penalty of perjury under the laws of the United States and the State of Alabama that the foregoing is true and correct. Executed this 13th day of May, 2013, in Mobile, Alabama.



Kimberly C. Walker

KIMBERLY CALAMETTI WALKER

Ms. Walker is a native of Mobile, Alabama. She graduated with a Bachelor of Arts degree from the University of Southern Mississippi, with Highest Honors in 1992. She received her Juris Doctor from the University of Alabama in 1996. Ms. Walker is a partner with The Gardner Firm, a union side labor law firm in Mobile, Alabama, where she has practiced since 1996. Her current practice is focused in the areas of union side labor and employment law, with an emphasis in employee benefits through her representation of various Taft-Hartley pension, welfare and apprenticeship training funds.

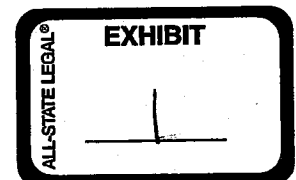
Ms. Walker has successfully represented clients before the National Labor Relations Board, Mobile County Personnel Board and local school boards throughout the state. She is admitted to practice in the state and federal courts of Alabama, and in Mississippi, as well as the Fifth and Eleventh Circuit Courts of Appeal.

In her representation of employees, Ms. Walker has served as class counsel in numerous cases, including *Edward Mallon et al. v. Harsco Corporation*, in the Circuit Court of Mobile County, Alabama (CV-01-633), which resulted in a backpay award for almost 200 employees. Ms. Walker has also actively participated in several nationwide class actions against drug manufacturers involving anti-trust violations. Although some of those litigations are ongoing, many cases have settled resulting in substantial recoveries for overpayments on prescription drug claims by her clients, other third-party payors, as well as individual purchasers. Those cases include *In re Buspar*; *Rosemarie Ryan-House et al. v. Glaxosmithkline et al.*, involving the prescription drug Augmentin; *In re Relafen Antitrust Litigation*; and, *In re Metoprolol Succinate End-Payor Antitrust Litigation*.

Ms. Walker's reported cases include *In re: National Contract Poultry Growers' Association (In re: Celia English et al. v. ConAgra, Inc. et al.)*, 771 So.2d 466 (Ala. 2000) and *Joe L. Reed et al. v. Board of Trustees for Alabama State University et al.*, 778 So. 2d 791 (Ala. 2000). She has also given speeches at local and national conferences concerning the Basics of ERISA.

Ms. Walker has been selected by her peers for inclusion in *Naifeh and Smith's* "Best Lawyers in America" in Labor and Employment and Employee Benefits for 2006 through present and she is BV rated by Martindale-Hubbell. She was also been selected as an Alabama Super Lawyer Rising Star in 2011 in the area of Employee Benefits.

Ms. Walker is actively involved in the legal community through her participation in many professional associations, including the Alabama Young Lawyers Executive Committee of the Alabama State Bar (1999 through 2004), Lawyer's Coordinating Committee of the A.F.L.-C.I.O (1997 through present) (LCC Board of Directors, 2013), LERA, Alabama Chapter, Alabama State Bar, Labor and Employment Section and American Bar Association, Labor and Employment Section. She is also a member of the International Foundation of Employee Benefit Plans.



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