



AlaFile E-Notice

01-CV-2003-006630.00

Judge: PAT BALLARD

To: SOMERVILLE JOHN QUINCEY
jqs@somervillellc.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

JOHN LAURIELLO VS CAREMARK RX LLC
01-CV-2003-006630.00

The following matter was FILED on 7/29/2016 1:03:12 PM

C004 CITY OF BIRMINGHAM RETIREMENT AND RELIEF SYSTEM

C002 FINNEY JAMES O. JR.

C003 JOHNSON SAM

EVIDENTIARY SUBMISSIONS

[Filer: POWELL SCOTT ASHLEY]

Notice Date: 7/29/2016 1:03:12 PM

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL 35203

205-325-5355
anne-marie.adams@alacourt.gov

STATE OF ALABAMA

Unified Judicial System

Revised 3/5/08

Case



ELECTRONICALLY FILED

7/29/2016 1:02 PM

01-CV-2003-006630.00

CIRCUIT COURT OF

JEFFERSON COUNTY, ALABAMA

ANNE-MARIE ADAMS, CLERK

01-JEFFERSON

 District Court
 Circuit Court

CV20

JOHN LAURIELLO VS CAREMARK RX LLC

CIVIL MOTION COVER SHEET
 Name of Filing Party: C002 - FINNEY JAMES O. JR.
 C003 - JOHNSON SAM
 C004 - CITY OF BIRMINGHAM RETIREMENT

Name, Address, and Telephone No. of Attorney or Party. If Not Represented.

SCOTT A. POWELL ESQ.

 2025 3RD AVENUE NORTH, SUITE 800
 BIRMINGHAM, AL 35203

Attorney Bar No.: POW005

 Oral Arguments Requested
TYPE OF MOTION**Motions Requiring Fee**

- Default Judgment (\$50.00)
 Joinder in Other Party's Dispositive Motion (i.e. Summary Judgment, Judgment on the Pleadings, or other Dispositive Motion not pursuant to Rule 12(b)) (\$50.00)
- Judgment on the Pleadings (\$50.00)
- Motion to Dismiss, or in the Alternative Summary Judgment(\$50.00)
 Renewed Dispositive Motion(Summary Judgment, Judgment on the Pleadings, or other Dispositive Motion not pursuant to Rule 12(b)) (\$50.00)
- Summary Judgment pursuant to Rule 56(\$50.00)
- Motion to Intervene (\$297.00)
- Other _____
 pursuant to Rule _____ (\$50.00)

*Motion fees are enumerated in §12-19-71(a). Fees pursuant to Local Act are not included. Please contact the Clerk of the Court regarding applicable local fees.

 Local Court Costs \$ 0.00
Motions Not Requiring Fee

- Add Party
- Amend
- Change of Venue/Transfer
- Compel
- Consolidation
- Continue
- Deposition
- Designate a Mediator
- Judgment as a Matter of Law (during Trial)
- Disburse Funds
- Extension of Time
- In Limine
- Joinder
- More Definite Statement
- Motion to Dismiss pursuant to Rule 12(b)
- New Trial
- Objection of Exemptions Claimed
- Pendente Lite
- Plaintiff's Motion to Dismiss
- Preliminary Injunction
- Protective Order
- Quash
- Release from Stay of Execution
- Sanctions
- Sever
- Special Practice in Alabama
- Stay
- Strike
- Supplement to Pending Motion
- Vacate or Modify
- Withdraw
- Other Evidentiary Submissions
 pursuant to Rule _____ (Subject to Filing Fee)

Check here if you have filed or are filing contemporaneously with this motion an Affidavit of Substantial Hardship or if you are filing on behalf of an agency or department of the State, county, or municipal government. (Pursuant to §6-5-1 Code of Alabama (1975), governmental entities are exempt from prepayment of filing fees)

Date:

7/29/2016 1:00:53 PM

Signature of Attorney or Party:

/s/ SCOTT A. POWELL ESQ.

*This Cover Sheet must be completed and submitted to the Clerk of Court upon the filing of any motion. Each motion should contain a separate Cover Sheet.

**Motions titled 'Motion to Dismiss' that are not pursuant to Rule 12(b) and are in fact Motions for Summary Judgments are subject to filing fee.



IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

CASE NO. CV-2003-006630-PJB

SAM JOHNSON and CITY OF
BIRMINGHAM RETIREMENT
AND RELIEF SYSTEM, for themselves,
individually, and on behalf of a class of
all others who are similarly situated,

Plaintiffs,

v.

CAREMARK Rx, L.L.C.; AMERICAN
INTERNATIONAL GROUP, INC.;
NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA.;
AIG TECHNICAL SERVICES, INC.;
And AMERICAN INTERNATIONAL
SPECIALTY LINES INSURANCE
COMPANY,

Defendants.

EVIDENTIARY SUBMISSIONS IN SUPPORT OF

**THE PLAINTIFF CLASS'S MOTION FOR FINAL APPROVAL
OF PROPOSED CLASS ACTION SETTLEMENT**

AND

**CLASS COUNSEL'S FEE AND EXPENSE APPLICATION
AND APPLICATION FOR SERVICE AWARDS TO PLAINTIFFS**

Come now the Plaintiffs, the Plaintiff Class, and Class Counsel and jointly submit the following evidentiary materials in support of both The Plaintiff Class's Motion for Final Approval of Proposed Class Action Settlement and Class Counsel's Fee and Expense Application and Application for Service Awards to Plaintiffs:

EXHIBIT 1: Declaration of Professor William B. Rubenstein

EXHIBIT 2: Declaration of Professor Arthur R. Miller

EXHIBIT 3: Declaration of Judge U. W. Clemon

EXHIBIT 4: Affidavit of Class Counsel in Support of the Class's Motion for Final Approval of Proposed Class Action Settlement and in Support of Class Counsel's Fee and Expense Application

EXHIBIT 5: Affidavit of Class Representative Sam Johnson

EXHIBIT 6: Affidavit of James Love on behalf of Class Representative Birmingham Retirement and Relief Fund

EXHIBIT 7: Affidavit of former Named Plaintiff and Class Representative John Lauriello

EXHIBIT 8: Declaration of Ross Murray for Claims Administrator Gilardi & Co.

EXHIBIT 9: Transcript of May 31, 2016, Preliminary Approval Hearing

EXHIBIT 10: Lead Counsel Agreement of February 25, 2009

EXHIBIT 11: Objection from Steven M. Sobel

EXHIBIT 12: Objection from Georgia Urology

EXHIBIT 13: Objection from Clete Walker

EXHIBIT 14: Composite Exhibit of Items Relating to Clete Walker

Respectfully submitted this the 29th day of July, 2016.

s/ Scott A. Powell
One of the Attorneys for Plaintiffs

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CERTIFICATE OF SERVICE

I hereby certify that I have on this 29th day of July, 2016, served a copy of the foregoing on counsel of record by notice of electronic mail on those who are registered participants in the electronic-filing system and upon counsel of record who are not participants in the electronic-filing system by placing a copy of same in the United States Mail, first class postage prepaid, and addressed, as follows:

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s/ Scott A. Powell

One of the Attorneys for Plaintiffs