



In the Matters of

**Valeant Pharmaceuticals International, Inc. n/k/a Bausch Health Companies Inc.;
J. Michael Pearson; Howard B. Schiller; and Tanya R. Carro, CPA**

SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING

File Nos. 3-19899, 3-19900, 3-19901, and 3-19902

VALEANT PHARMACEUTICALS FAIR FUND DISTRIBUTION PLAN NOTICE

**The United States Securities and Exchange Commission authorized this Notice.
This is not a solicitation from a lawyer.**

Who is Eligible to Participate in the Fair Fund?

If you purchased or otherwise acquired Valeant Pharmaceuticals International, Inc. ("Valeant") common stock between October 20, 2014 and April 28, 2016, inclusive (the "Relevant Period" for investors in Valeant common stock) or purchased certain bonds issued by Valeant between October 20, 2014 and October 29, 2015, inclusive (the "Relevant Period" for investors in Valeant bonds listed in Table C of the Plan of Allocation) (the "Securities"), you may be entitled to receive payment from the Valeant Pharmaceuticals Fair Fund, created in the captioned proceedings (the "Fair Fund"), subject to other provisions of the Plan¹. Please review this Distribution Plan Notice in full to determine if and how you can make a claim.

The administration of the Fair Fund is governed by a Corrected Plan of Distribution (the "Plan") approved by the Commission on August 22, 2024. A copy of the Plan, which contains a description of eligibility and other conditions of participation, can be found at www.ValeantFairFund.com. Pursuant to the Plan, you may be entitled to receive a monetary payment from the Fair Fund.

What is this All About?

On July 31, 2020, the Commission issued Orders instituting and simultaneously settling proceedings against Valeant; J. Michael Pearson ("Pearson"); Howard B. Schiller ("Schiller"); and Tanya R. Carro, CPA ("Carro") (collectively, the "Respondents"). In the Orders, the Commission found that beginning in 2014, when announcing certain GAAP and non-GAAP financial measures, Valeant, among other things, misstated revenue transactions and included erroneous revenue allocations. For example, the Orders found that for five consecutive quarters Respondents touted double-digit same store organic growth, a non-GAAP financial measure that represented growth rates for businesses owned for one year or more. Much of that growth came from sales to Philidor, a mail order pharmacy Valeant helped establish, fund, and subsidize. The Orders found that Valeant improperly recognized revenue relating to Philidor sales and did not disclose its unique relationship with, or risks related to Philidor in its SEC filings and earnings and investor presentations. Valeant ended its ties to Philidor in October 2015 and restated its 2014 financial statements in April 2016, reducing the revenue that was improperly recognized.

The Orders also found that Valeant failed to disclose the material impact of certain revenue it received from drug wholesalers following a 500% increase of the price of a single drug that Valeant acquired in April 2015. Valeant erroneously attributed the resulting revenue to more than 100 unrelated products and did not record any as attributable to that drug. Additionally, in its SEC filings and earnings presentations for the second and third quarters of 2015 and its 2015 year-end report, Valeant failed to disclose the impact of that allocation on its GAAP and non-GAAP financial measures.

In the Orders, the Commission found that Respondents violated the antifraud provisions of Sections 17(a)(2) and 17(a)(3) of the Securities Act and, with the exception of Schiller, Rule 100(b) of Regulation G. The Commission also found that Valeant violated the reporting, books and records, and internal accounting controls provisions of the Exchange Act, and that the individual respondents caused some or all of these violations. Valeant, Pearson, Schiller, and Carro were ordered, among other things, to pay civil penalties in the amount of \$45,000,000; \$250,000; \$100,000; and \$75,000, respectively. Respondents paid a collective total of \$45,425,000.00 in civil penalties, as ordered, into their respective Fair Funds.

¹ Capitalized terms not otherwise defined herein have the meaning ascribed to them in the Corrected Plan of Distribution.

In each of the Orders, the Commission also created a Fair Fund, pursuant to Section 308(a) of the Sarbanes-Oxley Act of 2002, so the penalties collected can be distributed to harmed investors. On January 8, 2024, the Commission ordered that the Fair Funds created in each of the Orders be consolidated for the purposes of distribution administration.² Respondents have paid in full. The Fair Fund has been deposited in a Commission-designated account at the United States Department of the Treasury, and any accrued interest will be added to the Fair Fund.

On February 12, 2024, the Commission appointed Kurtzman Carson Consultants, LLC, ("KCC") as the Fund Administrator for the Fair Fund, in accordance with the Corrected Plan of Distribution approved by the SEC. You can view and download a copy of the Plan on the Fund Administrator's webpage at www.ValeantFairFund.com or on the SEC's website at https://www.sec.gov/files/litigation/admin/2024/34-100808_dist-plan.pdf.

Who Should Submit a Claim?

If you purchased or otherwise acquired Valeant common stock or bonds (see Appendix A for a complete list of eligible Securities) between October 20, 2014 and April 28, 2016, inclusive, for investors in Valeant common stock or between October 20, 2014 and October 29, 2015, inclusive, for investors in Valeant bonds listed in Table C of the Plan of Allocation, the Relevant Period, you may be eligible for a distribution from the Fair Fund.

Excluded from the Valeant Pharmaceuticals Fair Fund are: (a) The Respondents; (b) Present or former officers or directors of Respondents or any assigns, creditors, heirs, distributees, spouses, parents, dependent children or controlled entities of any of the foregoing Persons or entities; (c) Any employee or former employee of the Respondents or any of its affiliates who has been terminated for cause or has otherwise resigned, in connection with the conduct described in the Order; (d) Any Person who, as of the Claims Bar Date, has been the subject of criminal charges related to the conduct described in the Order or any related Commission action; (e) Any firm, trust, corporation, officer, or other entity in which Respondents has or had a controlling interest; (f) The Fund Administrator, its employees, and those Persons assisting the Fund Administrator in its role as the Fund Administrator; or (g) Any purchaser or assignee of another Person's right to obtain a recovery from the Fair Fund for value; provided, however, that this provision will not be construed to exclude those Persons who obtained such a right by gift, inheritance or devise.

Participation in the Valeant Pharmaceuticals Fair Fund does not require you to release any rights or potential claims you may have against the Respondents (other than with respect to the Fund Administrator), including but not limited to the Respondents' past and present directors, officers, promoters, advisers, agents, affiliates, nominees, assigns, creditors, or controlled entities.

In order to be considered for eligibility, each Preliminary Claimant must submit a properly completed Claim Form, together with acceptable supporting documentation to the Fund Administrator on or before the Claims Bar Date of January 16, 2025, 11:59 P.M., PST.

You can submit your claim via the online claim filing portal, on the website at www.ValeantFairFund.com.

Determination of Distribution Payments

Distribution Payments shall be determined in accordance with the Plan, including the Plan of Allocation (Exhibit A to the Plan). You can view and download a copy of the Plan on the Fund Administrator's webpage at www.ValeantFairFund.com.

How to File a Claim

If you believe you may be eligible for a Distribution Payment (see "Who Should Submit a Claim" above) and would like to be considered for a distribution from the Fair Fund, you must follow the instructions and submit a completed Claim Form.

We encourage you to file your Claim Form via the online filing portal on the Fair Fund website www.ValeantFairFund.com. You may also submit your Claim Form by mail. To do so, please complete the Claim Form included in this packet, follow the instructions provided, sign it, include copies of all required supporting documentation, and return it to the Fund Administrator's address listed below.

² Order Consolidating Fair Funds and Setting Deadline to Submit Proposed Plan of Distribution, Exchange Act Rel. No. 99284 (January 8, 2024).

The submission of the Claim Form and the receipt and acceptance of a distribution is not intended to be a release of rights and claims against any of the Respondents.

Claim Bar Date: January 16, 2025, 11:59 P.M., PST

More Information:

Website: www.ValeantFairFund.com

Email: Info@ValeantFairFund.com

Write: *Valeant Pharmaceuticals Fair Fund*
c/o KCC Class Action Services
Fund Administrator
P.O. Box 301133
Los Angeles, CA 90030-1133

Phone: 1-888-890-6712

Special Notice to Brokers and Nominees

If you purchased or held Valeant Securities for the beneficial interest of a person or organization other than yourself, within fourteen (14) calendar days of receipt of this Distribution Plan Notice you must:

1. Request additional copies of the Distribution Plan Notice from the Fund Administrator, and, within fourteen (14) calendar days of receipt of such copies, send copies by first-class mail directly to beneficial owners; and/or
2. Provide a list of the names and last known addresses of the beneficial owners (preferably in Excel format) to the Fund Administrator by email to notifications@kccllc.com or by mail to the following address:

Valeant Pharmaceuticals Fair Fund
c/o KCC Class Action Services
Fund Administrator
P.O. Box 301133
Los Angeles, CA 90030-1133

If you choose to mail the Distribution Plan Notice yourself, an unlimited number of Plan Notices and Claim Forms may be downloaded from the website at www.ValeantFairFund.com. **The Fund Administrator may provide no more than fifty (50) additional copies of Claims Packets for the purpose of distribution to beneficial owners.** If you choose the second option, KCC will send a copy of the Distribution Plan Notice and Claim Form to the persons and/or entities whose names and addresses you supply. All claims must be submitted by the Claim Bar Date.

In either case, you may obtain reimbursement for reasonable and documented administrative costs actually incurred in connection with forwarding the Distribution Plan Notice that would not have been incurred but for the obligation to forward the Distribution Plan Notice, upon submission of appropriate documentation to the Fund Administrator, see paragraph 47 of the Plan of Distribution.

In Consultation with the Commission staff, out-of-pocket expenses based on the following rates will be considered reasonable:

- A maximum of \$0.03 per Plan Notice and/or Claim Form, plus postage at the pre-sort postage rate per Plan Notice and/or Claim Form actually mailed;
- A maximum of \$0.05 per email of the Plan Notice with a link to the Claim Form; or
- \$0.20 per name, address, and email address provided to the Fund Administrator, up to a maximum of amount of \$1,500.00.

Contact information for the Fund Administrator

You may obtain further information, file a Claim and download a copy of the paper Claim Form at the Fair Fund website at www.ValeantFairFund.com. If you have any questions, please reach out to the Fund Administrator at:

Phone: 1-888-890-6712

Email: Info@ValeantFairFund.com

Physical Address: *Valeant Pharmaceuticals Fair Fund*
c/o KCC Class Action Services
Fund Administrator
P.O. Box 301133
Los Angeles, CA 90030-1133

Website: www.ValeantFairFund.com

Appendix A: Valeant Pharmaceuticals International, Inc. Eligible Securities

Common Stock: Valeant Pharmaceuticals International, Inc.

Bonds

CUSIP 144A Offering / Reg S Offering
91831AAA9 / EK8064983
91831AAB7 / EK8064801
91831AAC5 / EK8065162
EK8066186 / EK7990790
92912EAA1 / EJ7382413
92912EAC7 / EJ7382611
91829KAA1 / EJ3752296
91911KAD4 / EJ9423611
91911KAE2 / EK7043582
91911XAM6 / EI4142986
91911XAQ7 / EI5650532
91911XAS3 / EI5995440