

Exhibit 10

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

_____	x	
PUBLIC PENSION FUND GROUP, et al.,	:	No. 4:08-cv-01859-CEJ
Individually and on Behalf of All Others	:	
Similarly Situated,	:	<u>CLASS ACTION</u>
	:	
Plaintiffs,	:	DECLARATION OF JASON G. CROWELL
	:	FILED ON BEHALF OF OSBURN, HINE,
v.	:	YATES & MURPHY, L.L.C. IN SUPPORT
	:	OF APPLICATION FOR AWARD OF
KV PHARMACEUTICAL COMPANY, et al.,	:	ATTORNEYS' FEES AND EXPENSES
	:	
Defendants.	:	
	:	
_____	x	

I, JASON G. CROWELL, declare as follows pursuant to 28 U.S.C. §1746:

1. I am a member of the firm of Osburn, Hine, Yates & Murphy, L.L.C. I am submitting this declaration in support of my firm's application for an award of attorneys' fees and expenses in connection with services rendered in the above-entitled action (the "Action") from inception through March 7, 2014 (the "Time Period").

2. This firm was liaison counsel for lead plaintiffs. The principal tasks undertaken by my firm included: acting as liaison counsel within the State of Missouri and reviewing and submitting Court filings; coordinating for lead counsel the preparation of all pleadings and motions; attending court hearings; and monitoring case activity.

3. The identification and background of my firm and its partners is attached hereto as Exhibit A.

4. The information in this declaration regarding the firm's time and expenses is taken from time and expense printouts prepared and maintained by the firm in the ordinary course of

business. Ted Osburn, Mike Murphy, and I are the partners who oversaw and/or conducted the day-to-day activities in the Action and reviewed these printouts (and backup documentation where necessary or appropriate). The purpose of the reviews was to confirm both the accuracy of the entries on the printouts as well as the necessity for and reasonableness of the time and expenses committed to the Action. As a result of these reviews, reductions were made to both time and expenses either in the exercise of “billing judgment” or to conform to the firm’s guidelines and policies regarding certain expenses such as charges for hotels, meals, and transportation. As a result of these reviews and adjustments, I believe that the time reflected in the firm’s lodestar calculation and the expenses for which payment is sought are reasonable in amount and were necessary for the effective and efficient prosecution and resolution of the Action. In addition, I believe that the expenses are all of a type that would normally be charged to a fee-paying client in the private legal marketplace.

5. The schedule attached hereto as Exhibit B is a summary indicating the amount of time spent by each attorney and professional support staff of my firm who was involved in the prosecution of the Action, and the lodestar calculation based on my firm’s current billing rates. For personnel who are no longer employed by my firm, the lodestar calculation is based upon the billing rates for such personnel in his or her final year of employment by my firm. The schedule was prepared from contemporaneous daily time records regularly prepared and maintained by my firm, which are available at the request of the Court. Time expended in preparing this application for fees and payment of expenses has not been included in this request.

6. The total number of hours spent on this Action by my firm during the Time Period is 567.90. The total lodestar amount for attorney/paraprofessional time based on the firm’s current rates is \$167,925.00.

7. The hourly rates for the attorneys and professional support staff of my firm included in Exhibit B are my firm's usual and customary billing rates for this type of work. My firm's lodestar figures are based upon the firm's billing rates, which rates do not include charges for expense items. Expense items are billed separately and such charges are not duplicated in my firm's billing rates.

8. My firm seeks an award of \$1,623.35 in expenses/charges in connection with the prosecution of the Action. They are broken down as follows:

EXPENSES/CHARGES

From Inception to March 7, 2014

<i>CATEGORY</i>	<i>TOTAL</i>
Transportation & Parking	267.05
Duplicating	341.90
Postage	79.70
Messenger, Overnight Delivery	47.26
Filing, Witness & Other Court Fees	650.00
Online Legal and Financial Research Fees	237.34
<i>TOTAL</i>	<i>1623.25</i>

9. The following is additional information regarding certain of these expenses:

(a) Out-of-town Transportation: \$267.05 (see below).

<i>NAME</i>	<i>DATE</i>	<i>DESTINATION</i>	<i>PURPOSE</i>
Kim Kasten	1/21/09	St. Louis, Missouri	File documents
Jonah T. Yates	9/22/11	St. Louis, Missouri	Oral argument

(b) Duplicating: In-house (3,419 pages @ \$0.10 per copy): \$341.90.

(c) Filing, Witness and Other Court Fees: \$650.00. These costs have been paid to the court for filing fees. These costs were necessary to the prosecution of the case to file the complaint, to serve the complaint and subpoenas, and to investigate the facts.

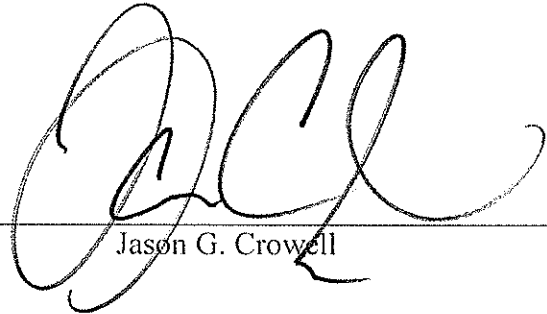
<i>DATE</i>	<i>VENDOR</i>	<i>DESCRIPTION</i>
1/26/09	U. S. District Court	Filing fee – Complaint
3/26/09	U. S. District Court	Pro Hac motions

<i>DATE</i>	<i>VENDOR</i>	<i>DESCRIPTION</i>
6/29/09	U. S. District Court	Pro Hac motions - Hoffman

(d) Online Legal and Financial Research Fees: \$237.34. These included vendors such as Pacer, Westlaw, and Practising Law Institute. These databases were used to obtain access to SEC filings, legal research and cite-checking of briefs.

10. The expenses pertaining to this case are reflected in the books and records of this firm. These books and records are prepared from receipts, expense vouchers, check records and other documents and are an accurate record of the expenses.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 13th day of March, 2014.



Jason G. Crowell

Exhibit A



Osburn, Hine, Yates & Murphy, LLC is first and foremost a litigation-oriented firm. Based in Cape Girardeau, Missouri, we are a regional firm, handling cases throughout Missouri, Illinois and Arkansas. Our firm has a proven track record of success in all types of lawsuits in state and federal courts—everything from personal injury and products liability cases to complex commercial disputes. We represent both plaintiffs and defendants because we believe that experience better positions us to prepare a clear and persuasive case for trial. Our experienced attorneys see the strengths and weaknesses of each claim and then give our clients honest and objective advice on how to resolve their claim or dispute, whether by settlement or by trial.

Our firm represents injured individuals, businesses, hospitals, insurance companies, and multi-national companies in ordinary and complex cases. Our attorneys regularly use and work with nationally recognized experts in many fields including medical experts, engineers, and economic experts. We take advantage of courtroom technology to persuade jurors through video, computer graphics, and other audio-visual media.

We also assist clients with business transactions, corporate formation, real estate matters and estate planning. We are a client-focused firm and take pride in our ability to provide effective representation in a cost-effective manner.

OSBURN ♦ HINE ♦ YATES ♦ MURPHY, LLC
3071 Lexington Avenue, Cape Girardeau, Missouri 63701
Telephone: (573) 651-9000 Facsimile: (573) 651-9090



JASON GLENNON CROWELL

Jason Glennon Crowell earned a B.S.B.A. from Southeast Missouri State University in 1995 and a juris doctorate from the University of Missouri School of Law in 1998.

Jason is licensed to practice law in Missouri, Arkansas, and Illinois. He is admitted to practice before the United States District Court for the Eastern District of Missouri, the United States District Courts for the Eastern and Western Districts of Arkansas, and the United States District Court for the Southern District of Illinois. Jason concentrates his practice in the areas of medical malpractice defense, estate planning and administration, wealth strategies, workers' compensation, and general civil litigation in state and federal court including personal injury, toxic tort, products liability, business disputes and professional liability.

In November of 2000, Jason was elected to the Missouri House of Representatives by the people of Cape Girardeau County living in the 158th House District. Upon winning reelection to the House in 2002, Jason was elected to serve the chamber as majority floor leader, a legislative leadership position responsible for setting the agenda and bill order for floor debate.

Jason was elected to serve Southeast Missouri's 27th Senate District in November of 2004 and reelected in 2008, representing Bollinger, Cape Girardeau, Madison, Mississippi, Perry and Scott Counties. Jason has received numerous awards of appreciation for his dedication and service, including the Missouri Bar's Legislative Award, St. Louis Business Journal Award, Missouri Association of Counties Legislative Award, American Legion Legislative Award, VFW Legislator of the Year Award, Missouri Chamber of Commerce Spirit of Enterprise Award, Voice of Missouri Business Award from Associated Industries of Missouri, Missouri State Teachers Association Award, Missouri Council of the Blind Ellis M. Forchee Award, Missouri State Medical Association Legislative Award, Missouri Sheriff's Association Senator of the Year Award, Distinguished Legislator Award from the Missouri Community College Association and Missouri Supreme Court Legislative Award. Jason is an Eagle Scout with the Boy Scouts of America.

OSBURN ♦ HINE ♦ YATES ♦ MURPHY, LLC
3071 Lexington Avenue, Cape Girardeau, Missouri 63701
Telephone: (573) 651-9000 Facsimile: (573) 651-9090
E-mail: jcrowell@ohymlaw.com



MICHAEL D. MURPHY

Michael D. Murphy is a 1991 Order of the Coif graduate of the University of Missouri School of Law. While in law school, Mike was the editor-in-chief of the Missouri Law Review, and received the Judge Shepard Barclay Prize, awarded annually to the "senior who has attained the highest standing in scholarship and moral leadership." He was also awarded both the Ike Skelton, Sr. Prize for Excellence in Trial Practice and the American Jurisprudence Award for Trial Practice.

Mike has published a number of articles on trial practice-related subjects and, in fact, in 1996 he was awarded the W. Oliver Rasch Award for the outstanding article written for the Journal of the Missouri Bar. In addition, Mike has authored portions of West's Missouri Practice Series relating to pleading rules for defendants.

Licensed in Missouri, Texas and Colorado, Mike's practice focuses on the defense of product liability, toxic tort, and medical negligence actions, as well as general personal injury and commercial litigation. Within the past several years, Mike has been involved in the defense of cases that were pending in state and federal courts in Missouri, Texas, Louisiana, Mississippi, Georgia, Illinois, Wisconsin, Kentucky and California. Additionally, Mike has significant experience in overseeing and coordinating the nationwide defense of product liability claims.

Mike has received an AV peer review rating by the Martindale-Hubbell law directory. He has been elected a Fellow in the American Bar Foundation, an organization whose membership is limited to one-third of one percent of the lawyers in each jurisdiction. And, he has been named a "Missouri-Kansas Super Lawyer" in 2006 and 2008, an honor that is reserved to no more than 5% of the lawyers in the bi-state region. Most recently, Mike was invited to become a fellow in the Litigation Counsel of America, a trial lawyer honorary society composed of less than one-half of one percent of American lawyers.

Prior to returning to Southeast Missouri and joining Osburn, Hine, Kuntze, Yates and Murphy, L.L.C., Mike was a partner in the Dallas office of Jones, Day, Reavis and Pogue, the 2002 American Lawyer Litigation Department of the Year.

OSBURN ♦ HINE ♦ YATES ♦ MURPHY, LLC
3071 Lexington Avenue, Cape Girardeau, Missouri 63701
Telephone: (573) 651-9000 Facsimile: (573) 651-9090
E-mail: mmurphy@ohymlaw.com



TED R. OSBURN

Ted obtained his undergraduate degree in electrical engineering from the University of Missouri in 1982. He obtained his juris doctorate from the University of Missouri School of Law in 1985. While in law school, Ted was a member of the Board of Advocates and was awarded the R. Jack Garrett Prize for Excellence in Trial Advocacy. He was also awarded the Fred L. Howard Prize for Excellence in Appellate Advocacy.

Following graduation from law school, Ted joined the firm of Shughart, Thomson & Kilroy in Kansas City. He was a full partner and member of the firm's health care litigation group. In 1995, Ted left Kansas City and relocated his practice to his hometown of Cape Girardeau, Missouri. Later that year, Ted founded the firm now known as Osburn, Hine, Yates & Murphy, L.L.C.

Ted is licensed in the States of Missouri and Arkansas. He handles cases across the State of Missouri and has practiced before all of the Missouri Courts of Appeal, including the Missouri Supreme Court. He is admitted to practice before the Federal Courts of the Eastern and Western Districts of Missouri. Ted's practice focuses on the areas of products liability, business litigation, professional liability defense and health care law.

Ted maintains an AV rating through the Martindale-Hubbell law directory.



JONAH T. YATES

Ted's law practice focuses on estate planning, probate matters, commercial and real estate litigation, insurance litigation, healthcare law and general personal injury. In addition, Ted has significant experience in silicosis cases. Ted is admitted to practice in state and federal courts in Missouri and Arkansas. He served as a city attorney for the City of Ozark, Arkansas, for eight years. He has also served as a hospital administrator and has extensive experience in banking. Ted has handled and argued cases before the Supreme Courts of Arkansas and Missouri.

Ted is a founding member of Osburn, Hine, Yates & Murphy, L.L.C. and is a member of the Arkansas and Missouri State Bars, as well as the Cape Girardeau County Bar Association.

Ted received his Bachelor of Arts in 1973 from the University of Arkansas and his law degree in 1976 from the University of Arkansas School of Law.

Ted is married to the former Margaret McGinty, and they have three children. He is active in various community projects, including the Boys & Girls Club of Cape Girardeau. He is a member and past-president of the Cape West Rotary Club. Ted and his family attend Centenary United Methodist Church in Cape Girardeau.



ROSS D. MCFERRON

Ross McFerron maintains a general practice, primarily focusing on business litigation, estate planning, personal injury, insurance defense, and agricultural law. Ross is licensed in Missouri state and federal courts.

Ross is a member of Cape West Rotary, Southeast Missouri State University Alumni Association, Southeast Missouri Redhawks Club, SoutheastHEALTH Ambassadors, the Cape Jaycees, and the Cape Girardeau Area Chamber of Commerce. He and his family attend La Croix Church in Cape Girardeau. In 2008, Ross was awarded the W. Oliver Rasch award from the Missouri Bar. Ross is also a graduate of the Cape Girardeau Area Chamber of Commerce's "Leadership Cape" program.

Ross received his law degree in 2007 from the University of Missouri, where he graduated in the top five of his class. During law school, Ross was a member of the Missouri Law Review, the law school's mock trial team, and was elected to Order of the Coif. He was also awarded the Ike Skelton, Sr. prize for trial advocacy and the R. David Ray trial advocacy award.

Ross grew up on a farm just outside of Advance, Missouri and graduated from Advance High School. He earned his undergraduate degree from Southeast Missouri State University in 2004. While at Southeast, Ross met his wife, Alisa. The two married in 2007. The couple has one son.

OSBURN ♦ HINE ♦ YATES ♦ MURPHY, LLC
3071 Lexington Avenue, Cape Girardeau, Missouri 63701
Telephone: (573) 651-9000 Facsimile: (573) 651-9090
E-mail: rmcferron@ohymlaw.com

Exhibit B

