

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

APR 13 2010

JAMES W. McCOMB, CLERK
DAVID ROBINSON
DEP. CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

In re: § MDL Docket No. 4:03CV1507WRW
§
PREMPRO PRODUCTS LIABILITY §
LITIGATION § ALL CASES
§

ORDER TO IMPLEMENT PPO-6

AND NOW, THIS 13th DAY OF April, 2010, it is hereby ORDERED:


1. The Court hereby appoints Bank of the Ozarks Trust & Wealth Management Division, Rex Kyle, President as Trustee of the MDL 1507 Common Benefit Fee and Cost Account. The Trustee shall receive payments required by PPO-6 into the Account by check payable to the order of Trustee of the “MDL 1507 Common Benefit Fee and Cost Account” and sent to Rex Kyle, President, Bank of the Ozarks Trust & Wealth Management Division, 17901 Chenal Parkway, Little Rock, AR 72223. The Common Benefit funds shall be maintained in fixed income obligations that are directly insured by the federal government or through the FDIC. Trustee shall deduct from the funds an administrative fee as previously agreed upon between the MDL 1507 PSC and the Trustee in writing on June 25, 2009.

2. The payments required by PPO-6 will be accompanied by a statement prepared by the payer (“Payer Statement”) setting forth: (1) the name and docket number of the individual case and court in which it is pending, (2) the name of the payer(s), (3) the name and full contact information for the payer’s counsel of record, (4) the tax identification number of plaintiffs’ counsel of record and (5) the gross amount of the settlement entered into by the payer or the judgment amount, together with any calculation pursuant to PPO-6, ¶¶ 2(a) & 3(c), and the amount of the payment required by PPO-6. If the terms of settlement are confidential pursuant

to written agreement, the Payer Statement shall be marked "CONFIDENTIAL BY AGREEMENT DATED [date]."

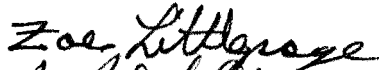

3. All records received and kept by Trustee will be maintained as confidential material, and the only persons with access to such records will be the Court. On a semi-annual basis, the Trustee will provide to the Court a report of the MDL 1507 Common Benefit Fee and Cost Account's total balance and interest accrued. The information in this report shall not include particularized information as to individual plaintiffs or individual dollar amounts. If the report is in order, the Court will release it to Plaintiffs' and Defendants' Lead Counsel; provided that the court will first give all defendants a ten day notice that a report is ready to be released, and, if any defendant files a written objection to release of the report, the Court will not release it until the Court has ruled on the objection. If the Plaintiffs' Lead Counsel has good reason to know the Account balance at any other time, she must file a motion seeking disclosure of that information.

SO ORDERED this 13th day of April, 2010.



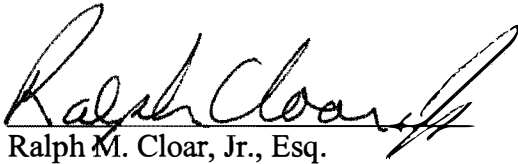
Honorable William R. Wilson
United States District Judge

Presented by:

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