

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

IN RE: NUVARING PRODUCTS LIABILITY )  
LITIGATION ) 4:08 MDL 1964 RWS  
)  
) ALL CASES  
)

**ORDER REGARDING QUALIFIED SETTLEMENT FUND**

On February 7, 2014, the parties entered into a Master Settlement Agreement (MSA). On June 4 2012, the parties agreed to an amendment to the MSA which confirmed the Effective Date of June 4, 2014 and the date of August 13, 2014 as the deadline for Organon to deposit the Settlement Funds into a Qualified Settlement Fund. The Court enters the following orders with respect to the implementation of the MSA and related matters:

1. Plaintiffs' Liaison Counsel, Kristine Kraft, by June 30, 2014 shall submit to the Court and Defendants a proposed order that will create a Qualified Settlement Fund, a proposed Fund Administrator, and a proposed financial institution to hold and invest the funds, as well as proposed prudent investments of the funds pursuant to section 6.02 of the MSA.
2. Pursuant to Amended Case Management Order No.3 (Doc. 1129) 11% of the Settlement Funds shall be placed into a Common Benefit Fees Account and 4.5% shall be placed into a Common Benefit Expense Account allocated separately from the balance of the fund for the Claimants.
3. By July 9, 2014, Plaintiff's Co-lead counsel, Roger Denton, Hunter Shkolnik and Kristine Kraft are hereby ordered to review the common benefit submissions, noting any issues with the various submissions by applying the provisions of Amended CMO 3.
4. Ms. Kraft is further ordered to submit to the Special Master, Judge Daniel Stack, on or before July 10, 2014, a detailed summary of all the common benefit time and expenses that was timely and properly submitted and documented as required by Amended CMO 3, along with any issues noted in reviewing the various submissions.
5. The Court will give due consideration to the recommendations of Co-Lead Counsel and the Special Master as to the appropriate common benefit fee and expense distributions from the common benefit funds. As further direction, the Court notes that the recommendations should focus on the quality of the work performed as well as the value

the work generated that achieved the settlement. The Court will not simply multiply the hours logged by a rate, although such an analysis may be a factor the Court considers.

6. By July 22, 2014, the Special Master is ordered to attempt to mediate any objections to his proposed common benefit distributions and to provide the Court a Report Recommending the Distribution of Common Benefit Fees and Expenses.
7. The Court intends to hear arguments on any objections to the Special Master's Report on July 25, 2014 and to issue an order approving common distributions immediately thereafter.

**IT IS SO ORDERED this 25th day of June, 2014**

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE