

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**IN RE: PROPULSID PRODUCTS** : **MDL NO. 1355**  
**LIABILITY LITIGATION** :  
: **SECTION: L**  
**THIS DOCUMENT RELATES TO** :  
**(All Plaintiffs, Enrollees, and Cases in the** :  
**Second MDL Resolution Program)** : **JUDGE FALLON**

**AFFIDAVIT OF BRIAN P. QUIRK IN SUPPORT OF  
DEFENDANTS' MOTION FOR AN ORDER TO TERMINATE THE CLAIMS OF  
ALL ENROLLEES IN THE SECOND MDL RESOLUTION PROGRAM AND TO  
AUTHORIZE RETURN TO THE DEFENDANTS THE BALANCE OF THE  
SETTLEMENT FUND AND ADMINISTRATIVE FUND AFTER ALL  
PAYMENTS DUE THEREUNDER HAVE BEEN MADE**

STATE OF LOUISIANA

PARISH OF ORLEANS

Brian P. Quirk, having been duly sworn according to his oath, deposes and says:

1. I am counsel with the law firm of Irwin Fritchie Urquhart & Moore LLC, attorneys for Defendants in this action. Based on my responsibilities, I am familiar with my firm's records as they relate to this litigation and if called as a witness, could and would testify to matters as set forth below.

2. Attached hereto as Exhibit A is a true and correct copy of the December 19, 2005 Consent Order for the Second MDL Resolution Program.

3. Attached hereto as Exhibit B is a true and correct copy of Term Sheet for the Second MDL Resolution Program.

4. Attached hereto as Exhibit C is a true and correct copy of the Enrollment and Stipulations of Dismissal with Prejudice Forms for the Second MDL Resolution Program.

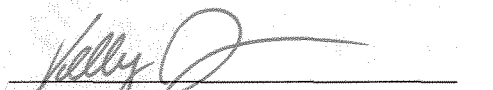
5. Attached hereto as Exhibit D is a true and correct copy of the Propulsid Settlement Enrollments, specifically a listing of all persons, and their applicable counsel and case caption, who enrolled in the Second MDL Resolution Program. This listing is in alphabetical order, 293 pages long, and is retrievable on the court's website for this litigation, at <http://propulsid.laed.uscourts.gov/>, as well as on the Court's Pacer System and LexisNexis File and Serve.

I declare that the foregoing is true and correct.



BRIAN P. QUIRK

Sworn to before me and subscribed  
in my presence this 17<sup>th</sup> day of  
September, 2012.

  
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Notary Public  
Name Printed: Kelly Juneau  
La. Bar No. 30573

KELLY G. JUNEAU  
NOTARY PUBLIC  
State of Louisiana  
LA Bar Roll No. 30573  
My Commission is issued for Life.