

**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**

**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**

Defendants, Johnson & Johnson and Janssen Pharmaceuticals, Inc. (Defendants), move this Court for entry of an order that terminates the claims of all individuals who enrolled in the Second MDL Resolution Program, as the Program is complete and the claim of every enrollee has been processed, and that returns to the Defendants the balance of the Settlement Fund and Administrative Fund, after all payments due thereunder are paid. In support of their Motion, Defendants submit the attached Memorandum 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.

WHEREFORE, Defendants, Janssen Pharmaceuticals, Inc. and Johnson & Johnson, respectfully request that this Court issue an order terminating the Second MDL Resolution Program including dismissing with prejudice the claims and cases of all the plaintiffs and enrollees therein, including all of the claimants and plaintiffs listed on

Exhibit D to the Quirk Affidavit, and further authorizing the return of balances of the Settlement and Administrative Funds to the Defendants once all payments due under those funds have been made.

Respectfully Submitted:

/s/Brian P. Quirk

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CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing 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, has been served upon all parties by electronically uploading the same to LexisNexis File & Serve, by U.S. mail, certified, return receipt requested to the counsel of record for plaintiffs and claimants, as listed on Exhibit D to the Quirk Affidavit (which has been uploaded to the Court's website, <http://propulsid.laed.uscourts.gov/>), and that the foregoing was electronically filed with the Clerk of Court of the United States District Court for the Eastern District of Louisiana by using the CM/ECF system which will send a Notice of Electronic Filing on this 18th day of September, 2012. This document will also be served on all counsel of record for the enrollees in the Second MDL Resolution Program by Dawn M. Barrios, Esq. of the MDL State Liaison Committee.

/s/Brian P. Quirk

_____ **BRIAN P. QUIRK**