

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

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**IN RE: PROPULSID PRODUCTS** : **MDL NO. 1355**  
**LIABILITY LITIGATION** :  
: **SECTION: L**  
: **JUDGE FALLON**  
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**This Document Relates to:** :  
**All cases** :  
: :  
: :

**AFFIDAVIT OF PHILIP A. GARRETT, C.P.A.**

STATE OF LOUISIANA :  
: SS  
PARISH OF ORLEANS :


Philip A. Garrett, being duly sworn according to law deposes and says:

1. I am a certified public accountant. For over 35 years I was associated with the public accounting firm of Wegman Dazet & Company (WDC) and I am now associated with the firm of Philip A. Garrett, CPA.
2. The April 25, 2012 Order [Rec. Doc. 4497] required Plaintiffs' Liaison Counsel to petition the Court to distribute any remaining funds prorata to all counsel who have been allocated common benefit fees. In connection with the distribution of the remaining attorney's fees, I have been consulted by Plaintiffs' Liaison Counsel and have assisted and provided accounting services so that distributions of attorney's fees, costs and expenses take place.
3. I have reviewed various Orders that set forth allocation of attorney's fees to plaintiffs counsel. I have also reviewed the statements of the Deutsche Bank Attorney Fee Fund in

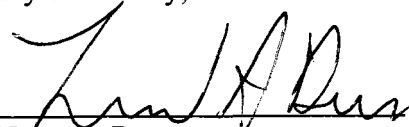
MDL 1355 and the bank statements of accounts established by Plaintiffs' Liaison Counsel in connection with MDL 1355.

4. Funds have been held by Plaintiffs' Liaison Counsel in an account established at the Whitney National Bank which have been utilized previously for the payment of cost and expenses during the course of this MDL. All costs and expenses have been reviewed by Wegmann-Dazet and/or Philip Garrett and the account has been maintained in accordance with the guidelines established for the payment of expenses in this MDL. The account balance is \$110,376.02.
5. Deutsche Bank is in the process of or has recently disbursed to Plaintiffs' Liaison Counsel, Russ M. Herman, funds that remained in the Propulsid accounts held at Deutsche Bank in order to conclude the Propulsid litigation and close the account. The amount transferred to Plaintiffs' Liaison Counsel, net payment of tax liability, totals \$137,914.24 representing final attorney fee fund balances (this includes \$12,168.27 which is due to LeBlanc Maples & Waddell), thus the net amount is \$125,745.97.
6. The Clerk of Court has advised that there is presently a principal balance of \$397,860.00 in the Propulsid MDL 1355 PTO No. 16 Litigation Fund and interest as of 12/31/2013 of \$72,114.53, thus as of 12/31/2013 a total of \$469,974.53. Interest continues to accrue daily. I understand that Plaintiffs' Liaison Counsel will request that the funds be disbursed as attorneys' fees and that payment be distributed pursuant to the April 25, 2012 Order. If there is any interest that has accrued, the interest shall also be disbursed pro rata net of taxes.
7. My recommendation for distribution of the remaining funds for attorney's fees on a pro rata basis to counsel who have been previously allocated attorney's fees is as follows:

Herman Gerel	\$216,697.24
Levin, Fishbein, Sedran & Berman	\$102,879.00
Zimmerman Reed, PLLP	\$24,771.05
Seeger Weiss, LLP	\$28,934.32
Murray Law Firm	\$21,514.27
Ashcraft & Gerel	\$18,642.86
Domengeaux, Wright, Roy & Edwards,	\$22,277.07
Law Offices of Daniel Becnel	\$21,068.59
Neblett, Beard & Arsenault	\$77,584.30
Hill, Toriseva & Williams, PLLC	\$20,735.10
Gauthier, Downing & Dean, APLC	\$22,067.20
Barrios, Kingsdorf & Casteix, LLP	\$55,344.98
Robinson, Calcagnie & Robinson	\$4,270.10
Lopez, Hodes, Restaino, Milman & Skikos	\$2,982.09
McKernan Law Firm	\$7,010.82
Lockridge Grindal	\$8,051.26
Cunard & Reiss	\$10,550.29
Capretz & Associates	\$18,882.37
Tina Nieves (Gancedo & Nieves)	\$2,204.12
Burg Simpson	\$502.29
Caluda & Rebennack	\$1,396.98
Davis Saperstein	\$1,729.15
Calvin Fayard	\$477.30
Ieyoub & Wyble	\$688.90
LeBlanc, Maples & Waddell	\$1,223.91
Slate Kennedy	\$2,675.76
Youngdahl & Sadin	\$935.20

  
 PHILIP A. GARRETT, C.P.A.

Sworn & Subscribed  
 before me this 31<sup>st</sup>  
 day of January, 2014.

  
 NOTARY PUBLIC