

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

In re: BIOMET M2A MANGUM) CAUSE NO. 3:12-MD-02391 RLM
HIP IMPLANT PRODUCTS LIABILITY)
LITIGATION (MDL-2391)) THIS DOCUMENT RELATES TO:
) ALL CASES

ORDER

Upon consideration of PSC I's Motion for Payment of Common Benefit Attorneys' Fees and Expenses from the Biomet Common Benefit MDL Assessment Fund, it is hereby ORDERED that a 6 million dollar common benefit fee is fair and just compensation for the common benefit work that lead to the resolution of the vast majority of cases in this MDL;

It is FURTHER ORDERED that this fee is paid by Biomet pursuant to the previously negotiated Biomet Common Benefit Settlement Agreement AND the balance of the Biomet Hip Common Benefit Attorney's Fee Fund is proportionally returned within 30 days of the entry of this order to primary counsel of record in all cases where there was a 5% provisional assessment holdback and such amount is to be returned to the plaintiff in that case consistent with the total percentage attorney's fees charged under the attorney-client contract and under applicable state laws and ethics rules governing the proper handling of contingent attorneys' fees;

It is FURTHER ORDERED that the distribution of the common benefit fee between the firms who performed common benefit work is to be paid by the escrow agent, Jessica Larbes, within 10 days of the deposit of the \$6 million by Biomet as follows:

Anapol Schwartz	\$1,740,000.00
Andrews and Thornton	\$150,000.00

Aylstock,Witkin, Kreis	\$600,000.00
Babbit Johnson	\$90,000.00
Beasley Allen	\$90,000.00
Clark Love	\$90,000.00
Climaco, Wilcox, Peca & Tarantino	\$45,000.00
Farci Lange	\$4,800.00
Fisher Boyd	\$60,000.00
Hare Wynn	\$4,800.00
Hovde Dassow and Deets, LLC	\$450,000.00
Johnson & Becker	\$15,000.00
Jones Ward	\$150,000.00
Lanier Law Firm	\$900,000.00
Meyers & Flowers	\$450,000.00
Miller Firm	\$36,000.00
Neblett, Beard & Arsenault	\$450,000.00
Parker Waichman	\$159,600.00
Pope McGlamery	\$60,000.00
Robinson Calcagnie	\$150,000.00
Saunders & Walker	\$60,000.00
Searcy Denney	\$4,800.00
Weitz & Luxenberg	\$120,000.00
Zimmerman Reed	\$60,000.00
Zoll, Kranz & Borgess	\$60,000.00

It is FURTHER ORDERED that there will be a holdback of \$25,000 in the Common Benefit Assessment Account to be used for the transition of the litigation from PSC I to PSC II, each of the following 20 firms who paid an assessment of \$50,000 will assume a provisional

holdback of \$1,250 each, which will be reimbursed back to them by PSC II, either when the MDL is dissolved in its entirety or at an interim time determined by the Court;

Anapol Schwartz
Andrews and Thornton
Aylstock, Witkin, Kreis
Babbit Johnson
Beasley Allen
Clark Love
Climaco, Wilcox, Peca & Tarantino
Fisher Boyd
Hovde Dassow and Deets, LLC
Jones Ward
Lanier Law Firm
Meyers & Flowers
Miller Firm
Neblett, Beard & Arsenault
Parker Waichman
Pope McGlamery
Saunders & Walker
Weitz & Luxenberg
Zimmerman Reed
Zoll, Kranz & Borgess

It is FURTHER ORDERED that the Court approves the common benefit expenses submitted by the PSC I firms as laid out in Exhibit E, less the \$1,250 holdback from the 20 firms, as being consistent with the Case Management Order Regarding Management of Timekeeping, Cost Reimbursement and Related Common Benefit Issues [Doc. No. 669; filed 7/18/2013] AND

all expenses, including firm assessments that were collected, are to be paid back by the escrow agent from the Biomet Hip Common Benefit Cost Fund within 10 days of the entry of this order as follows:

Anapol Schwartz	\$ 80,985.65
Andrews & Thornton	\$ 77,122.75
AWKO	\$ 50,877.78
Babbit Johnson	\$ 51,197.39
Beasley Allen	\$ 52,155.78
Clark Love	\$ 58,293.88
Climaco Wilcox	\$ 55,252.59
Fisher Boyd	\$ 50,169.69
Hovde Dassow	\$ 71,173.40
Johnson Becker	\$ 30,592.05
Jones Ward	\$ 48,750.00
Lanier Law Firm	\$ 63,670.20
Meyers & Flowers	\$ 53,139.52
Miller Law Firm	\$ 49,874.03
Neblett Beard	\$ 73,604.76
Parker Waichman	\$ 52,255.07
Pope McGlamry	\$ 53,975.31
Robinson Calcagnie Robinson	\$ 1,258.40
Saunders & Walker	\$ 48,750.00
Weitz & Luxenburg	\$ 51,716.00
Zimmerman Reed	\$ 57,994.73
Zoll Kranz & Borgess	\$ 51,262.49

It is FURTHER ORDERED that the Court approves the payment of the invoices submitted by Garretson Resolution Group in the amount of \$849,250.00 of which \$843,664.82 is to ultimately be paid to Garretson Resolution Group and accounts for the \$5,585.18 shortfall in the Common Benefit Cost Account.

SO ORDERED.

ENTERED: August 26, 2015

/s/ Robert L. Miller, Jr.
Judge
United States District Court