

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

IN RE ORTHO EVRA PRODUCTS
LIABILITY LITIGATION

N.D. Ohio Case No. 1:06-40000
Judge David A. Katz

O R D E R

This matter is before the Court on the PSC's unopposed motion for reimbursement of certain advanced costs as contained in their filing of April 17, 2008 and the itemization therein.

As noted in Second Amended CMO 9 (Doc. No. 50), Sec. A.2(a) filed on September 19, 2006, "[u]pon subsequent Order of the Court, payments may be made from the Common Benefit Fund to attorneys who provide services or incur expenses for the joint and common benefit of plaintiffs." The PSC's submission represents a subset of expenses which related to discovery in relation to the preparation of bellwether cases. The PSC requests a partial interim reimbursement to reimburse PSC firms for financing a portion of those discovery expenses so as not to overburden those firms as the litigation continues forward. The PSC requests reimbursement of \$522,959.56 in common benefit expenses.

Upon consideration and for good cause, the Court grants the PSC's motion for reimbursement of certain advanced costs (Doc. No. 277). The Court further directs that Andrew H. Mahler, CPA, appointed in March 2007 (Doc. No. 88) to manage the Common Benefit Fund, shall forward payment in the amount of \$522,959.56 to the "Ortho Evra PSC Fund" as the Court has approved reimbursement of certain advanced costs. The Clerk is directed to mail a copy of this Order to Andrew H. Mahler c/o Gilmore, Jasion & Mahler, 1715 Indian Woods Circle, Toledo, Ohio 43537.

IT IS SO ORDERED.

S/ David A. Katz
DAVID A. KATZ
U. S. DISTRICT JUDGE