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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION

TONY R. MOORE, CLERK  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

In re: Actos (Pioglitazone)  
Products Liability Litigation

Applies to:  
All Actions

\* 6:11-md-02299-RFD-PJH  
\*  
\* JUDGE DOHERTY  
\*  
\* MAGISTRATE JUDGE HANNA

**COURT ORDER:**  
**PLAINTIFFS' STEERING COMMITTEE**

The parties having had notice the Court was considering the appointment of a plaintiffs' steering committee ("PSC") in this matter, counsel were permitted an opportunity to submit applications for membership on the PSC. This Court has considered the numerous applications that were submitted by counsel. The Court was impressed by the overwhelming quality of applicants and nominations for these positions, and thanks the applicants and nominees for participating in this process. After a great deal of consideration of the particular qualities of each of the applicants, as well as the need for management and coordination in these proceedings, the Court hereby APPOINTS the following individuals to the Plaintiffs' Steering Committee.

**I. Plaintiffs' Steering Committee**

**A. Committee Membership**

The following counsel shall be members of the committee:

- Vance R. Andrus  
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Neblett Beard & Arsenault

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## **B. Committee Duties**

The PSC shall take the lead in litigating these matters on behalf of all plaintiffs, meaning that they shall play the lead role in making strategic, tactical, and procedural decisions on behalf of the plaintiffs' counsel and *pro se* plaintiffs. Of course, the Court recognizes that all plaintiffs'

counsel and all plaintiffs retain the right to choose to act in their own best interest in these proceedings, but the large number of attorneys and plaintiffs requires a substantial amount of coordination of litigation efforts. To that end, the PSC shall be responsible for coordinating the plaintiffs' responses to the orders of the Court, for coordinating the presentation of issues to the Court for its consideration, and for overseeing the progress of these proceedings toward final resolution.

The PSC shall have the responsibility for assigning litigation-related tasks to counsel who provide indication of their willingness to work for the common benefit of all plaintiffs and the case. The committee are encouraged to distribute assignments among counsel who wish to work for the common benefit, taking into consideration the particular strengths and weaknesses of counsel requesting such assignments.

The PSC shall act as the first resource for counsel or parties with questions, comments, concerns, recommendations, or requests, and for transmitting to plaintiffs' liaison counsel or co-lead counsel any such questions, comments, concerns, recommendations, or requests that should come to the attention of the Court.

The PSC shall have responsibility for recommending the approval or denial of any claim made by an attorney for common benefit credit. Specifically, with regard to any claim that an attorney is entitled to be compensated or reimbursed for fees or costs incurred for the common benefit of the plaintiffs, the PSC shall review such claims and shall provide guidance to Special Master DeJean with regard to the propriety, fairness and reasonableness of such claims. The PSC is encouraged to create a formal process by which claims for compensation or reimbursement may be presented either before or shortly after being incurred. In doing so, they are to coordinate their efforts with Special Master DeJean, whose responsibilities, in part, encompass formal oversight of the approval process, imposing reasonable limits on such fees and

costs, and making recommendations to the Court for approval or denial of any such request. The Court shall rule on any such requests periodically throughout the litigation.

In the event of a global settlement, the PSC shall have the primary responsibility, with guidance and oversight by the Court through the Special Masters, for management and oversight of the process of distributing funds, reimbursing fees and expenses incurred for the common benefit, and for distributing the remaining fees to all plaintiffs' counsel.

## **II. Executive Committee**

This Court hereby appoints an executive committee of the PSC. The executive committee shall be composed of six members. The members of the executive committee shall have the following additional duties beyond those assigned to PSC members.

- **Richard Arsenault**

Mr. Arsenault is hereby appointed CO-LEAD COUNSEL, together with Paul Pennock, with primary responsibility for leading the PSC and for communicating with the Court on behalf of plaintiffs' counsel.

- **Paul Pennock**

Mr. Pennock is hereby appointed CO-LEAD COUNSEL, together with Richard Arsenault, with primary responsibility for leading the PSC and for communicating with the Court on behalf of plaintiffs' counsel.

- **Patrick Morrow**

Mr. Morrow is hereby appointed CO-LIAISON COUNSEL, with primary responsibility for communicating with plaintiffs' counsel on behalf of the PSC, as requested by lead counsel, and he shall be available to perform any other administrative tasks assigned by the PSC.

- **Dawn Barrios**

Ms. Barrios is hereby appointed STATE COURT LIAISON, with primary responsibility

for communication with counsel in the various Actos®-related state court actions currently pending, or which might be filed.

- **Stephanie O'Connor**

Ms. O'Connor is hereby appointed SCIENCE COORDINATOR, with primary responsibility for coordination, oversight and management of experts on behalf of the plaintiffs.

- **Mark Robinson**

Mr. Robinson is hereby appointed to provide the PSC and the Court with the assistance of his general expertise in multi-district litigation.

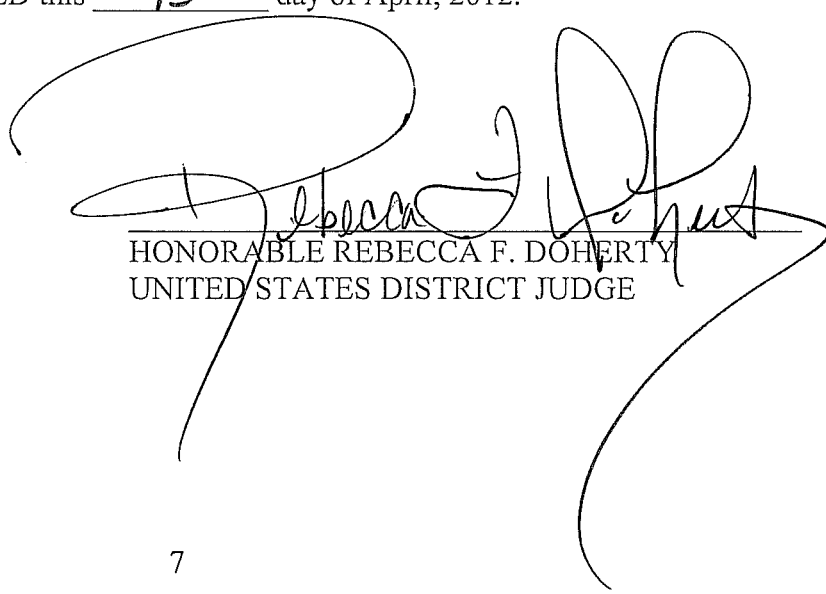
### **III. Oversight**

Periodically, the Court will determine whether the membership of the PSC should remain in place or should be adjusted to allow better, or more efficient, performance of the duties assigned herein.

### **IV. Effective Date**

The Court notified the members of the PSC of their appointment, and requested that they commence work in that capacity, on Monday, March 12, 2012, which shall be the effective date of the appointment and of this order.

THUS DONE AND SIGNED this 13 day of April, 2012.



HONORABLE REBECCA F. DOHERTY  
UNITED STATES DISTRICT JUDGE