

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

IN RE: ORTHO EVRA PRODUCTS
LIABILITY LITIGATION

N.D. Ohio Case No. 1:06-40000

MDL Docket No. 1742

This Document Relates To:

O R D E R

ALL CASES.

This matter is before the Court on the Plaintiffs' Steering Committee's ("PSC's") unopposed motion for reimbursement filed on April 6, 2010. The Court's jurisdiction is predicated under 28 U.S.C. § 1332.

DISCUSSION

As noted by the PSC and by this Court, Amended Case Management Order ("CMO") No. 9 (Doc. No. 50), allows "payments to be made from the Common Benefit Fund to attorneys who provide services or incur expenses for the joint and common benefit of plaintiffs in addition to their own client or clients."

Previously, this Court has approved reimbursement of common benefit expenses in May 2008 (Doc. No. 282), and on May 22, 2009 (Doc. No. 370). Most recently, the court approved a third request for common benefit fees in October 2009 (Doc. No. 388).

The present request by the PSC is for expenses incurred in relation to work on the pre-label cases. In support of their request, the PSC has provided the Court with documentation to justify an award of common benefit expenses and attorney's fees.

The Court has reviewed the motion and attachments in support of the request for expenses and fees. In the absence of any objection, the Court finds the motion to be well taken. Accordingly, the PEC's combined motion for reimbursement of common benefit expenses and award of common benefit fees (Doc. No. 436) is granted as to the amounts reflected in Exhibits A and B of the memorandum in support.

IT IS SO ORDERED.

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