

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

**IN RE: ZIMMER DUROM HIP CUP
PRODUCTS LIABILITY LITIGATION**

Master Docket No. 09-4414 (SDW)
MDL No. 2158 *Dkt. # 49*

This document relates to:

JOSEPH HOWARD v. ZIMMER, INC. et al.
Case # 2:10-cv-06388-SDW-MCA *Dkt # 24*

ORDER

On the 6th day of June, 2011, the above-captioned cause came before the United States District Court for the District of New Jersey concerning the Motion to Waive Contribution to Common Benefit Fund, filed on behalf of Plaintiff, Joseph Howard. There have been no objections filed to that Motion.

Based upon the Motion and the records and files in this matter, the Court concludes that it is appropriate that Mr. Howard's contribution to the Common Benefit Fund be waived in this case. Reference is made to Case Management Order 3: Order Establishing Common Benefit Fund dated January 21, 2011 wherein the Court reserved the right to change the percentage of contribution "based upon the factors set forth in the Model Rule of Professional Conduct 1.5 for determining the reasonableness of a fee."

WHEREFORE, it is hereby ordered and adjudged that the contribution to the Common Benefit Fund on behalf of Joseph Howard is *reduced to 1 (one) percent*. ~~hereby waived and said Plaintiff shall be entitled to receive all amounts as may have been deposited or withheld in connection with the Fund~~

Dated: *June 8-11*



Madeline Cox Arleo
United States Magistrate Judge