

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**IN RE: CHANTIX
(VARENICLINE) PRODUCTS
LIABILITY LITIGATION**

Master File No.: 2:09-CV-2039-IPJ
MDL No. 2092

This Order Relates To:

ALL CASES

ORDER

Pending before the court is a motion to amend Pretrial Order No. 7: Plaintiffs' Common Benefit Fee and Expense Fund (doc. 679), filed by plaintiffs' lead counsel. The time for objections have run, no such objections have been received by the court. Having considered said motion to amend, and being of the opinion said motion is due to be granted;

It is therefore **ORDERED** by the court that said motion be and hereby is **GRANTED**. Section II.B.2 of Pretrial Order No. 7 (doc. 81) is hereby **AMENDED** to the extent set forth below:

II. PLAINTIFFS' LITIGATION FEE AND EXPENSE FUNDS

B. Payments into the Fee and Expense Funds: The Assessment.

2. Assessment Amount.

**a. Counsel with Cases in
MDL No. 2092**

All plaintiffs' attorneys who are counsel, co-counsel, or have any type

of fee interest in cases now pending, or later filed in, transferred to, or removed to, this Court as part of the MDL proceedings shall be subject to an assessment of seven percent (7%)(four percent (4%) for common benefit attorneys' fees and three percent (3%) for costs).

DONE and **ORDERED** this 18th day of December, 2012.



INGE PRYTZ JOHNSON
U.S. DISTRICT JUDGE