

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA**

|   |   |                               |
|---|---|-------------------------------|
| <b>IN RE: ACTOS (PIOGLITAZONE)</b>        | § | <b>6:11-MD-2299</b>           |
| <b>PRODUCTS LIABILITY LITIGATION</b>      | § |                               |
| -----                                     | § |                               |
| <b>This Document Relates to all Cases</b> | § | <b>JUDGE DOHERTY</b>          |
| -----                                     | § |                               |
|   | § | <b>MAGISTRATE JUDGE HANNA</b> |
|   | § |                               |

**APPLICATION FOR APPOINTMENT TO PLAINTIFF STEERING COMMITTEE  
PAUL D. RHEINGOLD, RHEINGOLD, VALET, RHEINGOLD,  
McCARTNEY & GIUFFRA LLP**

Pursuant to this Court’s February 13, 2012 Order, Paul D. Rheingold is interested in serving on a committee and submits the following:

- 1. Resume:** Senior partner in Rheingold, Valet, Rheingold, McCartney & Giuffra PC. Author of treatise on mass torts, “Litigating Mass Tort Cases (2 vol., Thomson West, 2006 with annual supplements). Frequent author and lecturer on the law of mass torts (and in fact founded and named the field). Taught at Harvard Law School in 1989 the first course on mass torts in the country. Also lectured at Stanford, Fordham and Rutgers Law Schools. My book is cited many times in the MCL 4th, c. 22, on mass torts.
- 2. Actos cases filed:** Lo v. Takeda et al., (case number 6:12-cv-00423) and Clark v. Takeda et al., (case number 6:12-cv-00152 (co counsel)). Others being filed currently, in federal court. In the two filed cases, New York law should apply.
- 3. Practical experience in mass torts:** I am a member of the PSC for NuvaRing (MDL 1964). I was a member of the PSC in the following MDLs: Ephedra;

- Tryptophan; and Albuterol. On state steering committees on Fen-Phen, Vioxx, And on science and law committees in many other mass torts. More than 20 in all, including creating and managing the MER/29 and DES litigation. Currently representing bellwether plaintiffs in such litigations as NuvaRing, Yaz and Fosamax.
- 4. Other factors:** My firm is experienced and staffed to handle mass torts. And to make the initial funding. Much of my writings stress the ethical handling of mass tort cases.
- 5. Fee comments:** Since this Court will receive many more applications for common benefit work than the litigation needs, the Court could consider appointing people who work at an agreed, relatively low rate of hourly work, waiving lodestar increase or enhancement based on seniority or going rates in city where practice.

Respectfully Submitted,

By: /s/ Paul D. Rheingold  
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**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on February 22, 2012, I electronically filed the foregoing document with the United States Clerk of the Court, Western District of Louisiana, by using the CM/ECF system which serves all parties by operation of the Court's electronic filing system.

/s/ Paul D. Rheingold