

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: AMERICAN MEDICAL SYSTEMS, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL No. 2325

**PRETRIAL ORDER # 188
(SPECIAL MASTER FEE ORDER)**

On May 28, 2014 by Order of this Court, PTO # 175, the Honorable Marina Corodemus (Ret.) was appointed to serve as Special Master under the terms of certain confidential Master Settlement Agreements. The appointment was made pursuant to the terms of the Master Settlement Agreements, the inherent authority of the Court, and any applicable Federal Rule of Civil Procedure.

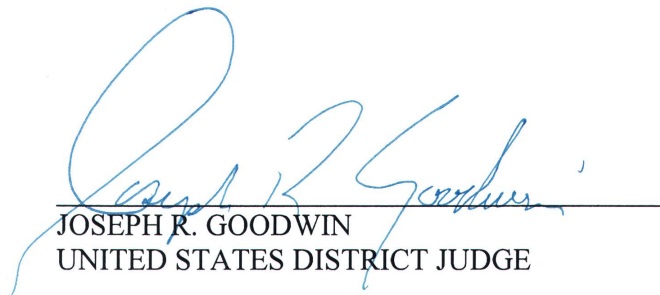
In accordance with the duties of the Special Master as defined in those Master Settlement Agreements, the Special Master will provide the Court with a quarterly report regarding implementation of settlements setting forth the information outlined on Attachment A, which she shall obtain from Analysis.Research.Planning.Corporation (ARPC). Each quarterly report will also reflect the results of the random audits conducted by the Special Master.

At the conclusion of the settlement implementation process, the Special Master shall be prepared to provide the Court with a closing report describing her work performed pursuant to the Order of May 28, 2014, in a form to be specified by the Court.

The parties, claimants and the firms represented by them (Blasingame, Burch, Garrard & Ashley P.C; Motley Rice, PLLC; Levin Simes) and Judge Corodemus agree that the firm Corodemus & Corodemus will receive a payment of **\$100,000** for work done to date by the Special Master and her staff, including the initial quarterly report. In addition, the Court will receive quarterly reports for the fourth quarter of 2014 and the first two quarters of 2015 for which the Special Master will receive an additional **\$10,000** per quarter. Upon submission and acceptance of the closing report a final payment of **\$100,000** shall be made.

The court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-2325 and it shall apply to each member related case previously transferred to, removed to, or filed in this district, which includes counsel in all member cases up to and including civil action number 2:14-cv-26040. In cases subsequently filed in this district, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action at the time of filing of the complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action upon removal or transfer. It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at www.wvsd.uscourts.gov.

ENTER: September 24, 2014



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

**SPECIAL MASTER'S REPORT TO THE COURT
FOR THE PERIOD ENDED _____
REGARDING INVENTORY SETTLEMENTS
OF AMS TVM MESH CLAIMS IN MDL NO. 2325**

This report provides information regarding the implementation of confidential settlements between American Medical Systems, Inc. (AMS), and the law firms Motley Rice, PLLC, Blasingame, Burch, Garrard Ashley P.C/ (BBGA), and Levin Simes with respect to claims they or their associated counsel represent in the transvaginal mesh litigation against AMS. Data set forth herein has been obtained from settlement administrator ARPC, and confirmed with representatives of the above-listed law firms and Arnold & Porter LLP, counsel for AMS.

| | <u>Since last report</u> | <u>Cumulative Total</u> |
|---|--------------------------|-------------------------|
| Claims filed in ARPC system | | |
| Motley Rice | | |
| BBGA | | |
| Levin Simes | | |
| Claims with releases issued for signature | | |
| Motley Rice | | |
| BBGA | | |
| Levin Simes | | |
| Claims with valid signed releases | | |
| Motley Rice | | |
| BBGA | | |
| Levin Simes | | |
| Claims pending lien resolution | | |
| Motley Rice | | |
| BBGA | | |
| Levin Simes | | |
| Dismissals | | |
| Motley Rice | | |
| BBGA | | |
| Levin Simes | | |
| Results of spot-check analysis | | |