

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA**

**IN RE: DIGITEK®
PRODUCT LIABILITY LITIGATION**

MDL NO. 1968

PLAINTIFF(S):

STATE CASE INFORMATION:

Court: _____

Case No.: _____

STATE CASE NOTICE OF INTENT TO OPT IN FORM

**THIS FORM APPLIES TO ALL PLAINTIFFS WHO HAVE SUITS RELATING TO DIGITEK® USE
PENDING IN STATE COURTS.**

IF YOU WISH TO PARTICIPATE IN THE *IN RE DIGITEK® PRODUCT LIABILITY LITIGATION* SETTLEMENT PROGRAM (the "Program") YOU MUST SUBMIT THIS FORM TO THE FOLLOWING PERSONS VIA EMAIL, DELIVERY AND READ RECEIPT REQUESTED, ON OR BEFORE 11:59 p.m. on OCTOBER 15, 2010, OR BY UNITED STATES MAIL OR OTHER CARRIER, RETURN RECEIPT REQUESTED, POSTMARKED ON OR BEFORE OCTOBER 15, 2010:

Special Master:

Actavis Defendants' Counsel:

Negotiating Plaintiffs' Counsel:

Special Master Digitek Claims
Smith, Cochran & Hicks, P.L.L.C.
Post Office Box 2553
Charleston, West Virginia 25329

Jaclyn A. Bryk, Esq.
Tucker Ellis & West, LLP
925 Euclid Avenue
1150 Huntington Building
Cleveland, Ohio 44115

Meghan Johnson Carter, Esq.
Motley Rice
28 Bridgeside Boulevard
Mt. Pleasant, South Carolina 29464

Email:

specialmaster@digitekclaims.net

Email:

Digitekclaims@tuckerellis.com

Email:

Digitekclaims@motleyrice.com

By timely submitting this form, you agree to be bound by the terms of the Settlement Agreement and the jurisdiction of the United States District Court for the Southern District of West Virginia with regard to all matters pertaining to the Settlement Agreement and the Program contained therein. You acknowledge that you will not be eligible for an award unless you timely submit a Claim Package pursuant to the Program. The Settlement Agreement, however, makes no guarantee that every person who submits a Claim Package will receive an award. By checking the box below and executing this form, you acknowledge that you have been fully advised of your rights under the Settlement Agreement and elect to participate in the Program.

I elect to participate in the In Re Digitek® Product Liability Litigation Settlement Program.

Print Name

Date

Signature

Attorney's Name

Firm Name

Attorney's Address

Attorney's Email and Telephone Number