

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

CHARLESTON DIVISION

IN RE: SERZONE
PRODUCTS LIABILITY LITIGATION

MDL NO. 1477

THIS DOCUMENT RELATES TO ALL CASES

ORDER

UPON CONSIDERATION of the Claims Administrator's notice to certain Class Members whose payments pursuant to the Third Amended Settlement Agreement remained outstanding for failure to return documentation required to process lien holdbacks, which set a deadline of September 15, 2007, for return of all necessary affidavits and notified Class Members of the termination of the processing of these delinquent claims (a copy of the notice is attached hereto as Exhibit A);

AND UPON CONSIDERATION of the Third Amended Settlement Agreement and this court's Final Approval Order of September 2, 2005, which among other things, recognized that the holdbacks presented a fair and reasonable protection for payment of any applicable liens;

I FIND that reasonable notice was given to Class Members regarding the requirements for processing their claims for payment, including any applicable lien holdbacks; and that the Claims Administrator provided sufficient notice to Class Members of the termination of settlement payments;

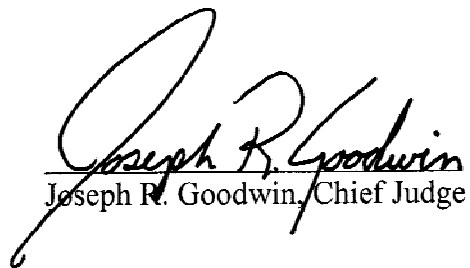
ACCORDINGLY, as indicated in the Final Notice of Eligibility, I approve the September 15, 2007, deadline set by the Claims Administrator as fair and reasonable; and hereby

ORDER that unless an agreement has been reached on any specific claim by Class Counsel and BMS for payment of a lien holdback amount, the Claims Administrator may close all other outstanding claims for payment; and

FURTHER ORDER that excepting any claims which are in process or in which an agreement has been reached by Class Counsel and Bristol-Myers Squibb Company (“BMS”) and BMS bears no financial responsibility for any liens or further payment of claims.

The court **DIRECTS** the Clerk to send a copy of this Order to Defendant’s Liaison Counsel, Plaintiffs’ Class Counsel and Claims Administrator.

ENTER: October 9, 2007


Joseph R. Goodwin, Chief Judge