

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

CHARLESTON DIVISION

IN RE: COOK MEDICAL, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION

MDL No. 2440

THIS DOCUMENT RELATES TO ALL CASES


**PRETRIAL ORDER # 77
(Order Granting Motion re: Interim Reimbursement of Costs)**

Pending is a Motion Regarding Interim Reimbursement of Costs, filed May 3, 2016. [ECF No. 427]. The Motion, filed by Henry Garrard, Chairman of the Common Benefit Fee and Cost Committee (“FCC”), pursuant to Pretrial Order (“PTO”) # 74 (Order Regarding Interim Reimbursement of Costs), seeks approval of two invoices attached to the Motion: (1) Crivella West in the amount of \$60,000; and (2) Smith Cochran & Hicks in the amount of \$35,712.50. After receiving no objections from any FCC member, Mr. Garrard, on behalf of the FCC, seeks permission from the court to allow payment of these expenses from the Common Benefit Fund.

Upon consideration of the Motion, pursuant to PTO # 74 and PTO # 71 (Order Establishing Criteria for Applications to MDL Fund to Compensate and Reimburse Attorneys for Services Performed and Expenses Incurred for MDL Administration and Common Benefit and Appointment of Common Benefit Fee and Cost Committee) and in light of the lack of objection from any FCC member, it is **ORDERED** that the Motion Regarding Interim Reimbursement of Costs is **GRANTED**.

The Court **DIRECTS** the Clerk to file a copy of this order in 2:13-md-2440 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 2:16-cv-03653. 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: May 5, 2016



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE