

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

CHARLESTON DIVISION

IN RE: DIGITEK
PRODUCTS LIABILITY LITIGATION

MDL NO. 2:08-md-1968

THIS DOCUMENT RELATES TO ALL CASES

PRETRIAL ORDER #69

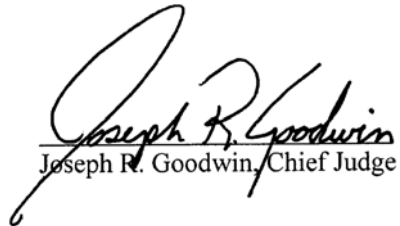
(Motion to Approve Establishment of Qualified Settlement Fund and Administrative Fund)

Pending is Actavis defendants' motion for approval to establish the Digitek® Litigation Qualified Settlement Fund and the Digitek® Litigation Administrative Fund. [Docket 396]. The motion states that Actavis and Negotiating Plaintiffs' Counsel ("NPC") conferred regarding the institution to hold such funds in accordance with the Settlement Agreement. The Special Master and Actavis subsequently met with United Bank to investigate the best forms of account to hold the funds. Both have agreed that United Bank shall hold the funds under the terms of the documents attached to the Motion as Exhibit A. Actavis and NPC request that the court approve the establishment of these Funds. Accordingly, the motion is **GRANTED**.

The court **DIRECTS** the Clerk to file a copy of this order in 2:08-md-1968 which shall apply to each member Digitek-related case previously transferred to, removed to, or filed in the is district, which includes counsel in all member cases up to and including civil action number 2-10-cv-01205. 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.wvsc.uscourts.gov.

ENTER: November 8, 2010



Joseph R. Goodwin
Joseph R. Goodwin, Chief Judge