

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

**IN RE: C.R. BARD, INC., PELVIC REPAIR  
SYSTEM PRODUCTS LIABILITY LITIGATION**

**MDL No. 2187**

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**THIS DOCUMENT RELATES TO ALL CASES**

**PRETRIAL ORDER # 201  
(Order Re: Qualified Settlement Fund –  
Janet, Jenner & Suggs, LLC and Participating Law Firms)**

Pending is an Unopposed Motion to Establish Qualified Settlement Fund and to Appoint QSF Administrator, filed November 6, 2015. [ECF No. 1692]. Janet, Jenner & Suggs, LLC and Participating Law Firms (“Plaintiffs’ Counsel”), as counsel for certain plaintiffs in *In Re: C. R. Bard, Inc. Pelvic Repair Systems Products Liability Litigation*, MDL 2187 (S.D. W.Va.), *In Re: Tyco/Covidien Transvaginal Mesh Litigation*, MICV2012-03700-N (Mass. Sup. Ct.), *In Re: Pelvic Mesh Litigation/Bard, Superior Court of New Jersey Law Division – Atlantic County Docket No. ATL-L-Master Docket No., L-6339-10-CT, Civil Action Bard Litigation*, Case No. 292 CT (N.J. Super. Ct.), have moved the court for entry of an Order to aid in the efficient processing and administration of the Confidential Master Settlement Agreement (the “MSA”) between Defendant Covidien<sup>1</sup> and Plaintiffs' Counsel to resolve the claims of certain claimants against Covidien relating to Covidien Pelvic Repair Products (as defined in the MSA). In particular, the Motion seeks an Order to establish a Qualified Settlement Fund (the “Fund”) within the meaning of section 468B of the Internal Revenue Code of 1986, as amended (“Code”) and Treasury Regulation

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<sup>1</sup> “Covidien” shall mean Covidien LP, Tyco Healthcare Group LP, Covidien Holding Inc., Covidien Inc., Covidien plc, United States Surgical Corporation, Sofradim Production, Tissue Science Laboratories, Limited, Medtronic Inc., and Medtronic plc, and their related and affiliated companies.

sections 1.468B-1, *et seq.* (“Regulations”).

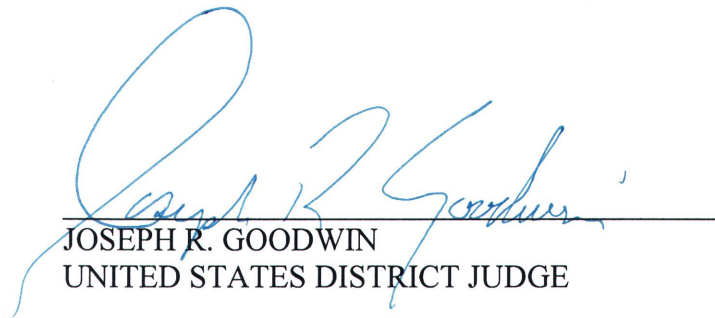
The court, having reviewed the Motion, and finding good and sufficient cause therefore, hereby **FINDS** and **ORDERS** as follows:

1. The Motion is **GRANTED**.
2. The Fund is established as a Qualified Settlement Fund within the meaning of Treas. Reg. § 1.468B-1 and pursuant to the jurisdiction conferred on this court by Treas. Reg. § 1.468B-1(c)(1).
3. Providio MediSolutions, LLC, is hereby appointed as the Fund Administrator pursuant to the terms, conditions, and restrictions of the MSA and agreed Motion Establishing Qualified Settlement Fund, and is hereby (i) granted the authority to conduct any and all activities necessary to establish and administer the Fund and (ii) shall be afforded the protections, both as described in the Motion filed with this court by Plaintiffs’ Counsel.
4. The Fund shall be held at Wells Fargo National Bank, a financial institution doing business in San Francisco, California, according to the terms, conditions and restrictions of the MSA and the accompanying Motion.
5. Upon final distribution of all monies paid into the Fund, the Fund Administrator shall take appropriate steps to wind down the Fund and thereafter shall be discharged from any further responsibility with respect to the Fund.

The court **DIRECTS** the Clerk to file a copy of this order in 2:10-md-2187 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 2:15-cv-15496. 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](http://www.wvsd.uscourts.gov).

ENTER: November 24, 2015



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE