

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

In re American Medical Systems, Inc.
**Pelvic System Products Liability Litigation
MDL No. 2325**

THIS DOCUMENT RELATES TO ALL CASES

**PRETRIAL ORDER # 275
(ORDER APPOINTING MOSHE HORN AS SETTLEMENT MASTER
FOR PRIVATE SETTLEMENT AGREEMENTS BETWEEN AMERICAN
MEDICAL SYSTEMS, INC. AND CERTAIN PLAINTIFFS' COUNSEL)**

Kirclin Soh, LLP (collectively, "Plaintiffs' Counsel") has entered into a separate Confidential Master Settlement Agreement (the "Settlement Agreement") with American Medical Systems, Inc. and related entities defined by agreement as "AMS" to resolve the claims related to the implantation of American Medical Systems, Inc. Pelvic Repair Products (as defined in the Settlement Agreement). Under the provisions of the Settlement Agreement, Plaintiffs' Counsel has agreed to seek the approval of this Court to appoint a Settlement Master to perform certain defined functions related to the administration and implementation of the Settlement Agreement. Plaintiffs' Counsel believes that Moshe Horn is well-qualified to perform these and other functions discussed below.

Accordingly, Plaintiffs' Counsel request, pursuant to the Court's inherent case management powers, the appointment of Moshe Horn to assist in the administration and implementation of their settlement with American Medical Systems, Inc., with the authority to:

- Determine that the calculation, allocation, division and distribution of settlement payments among the claimants pursuant to the terms of the Settlement Agreement

provides for fair and reasonable compensation for each client based on the facts and circumstances of this litigation, including the risk to all parties of litigation, the cost, the time delay, the medical evidence, the science, the compensation circumstances, and the inherent risk of litigation generally;

- Serve as mediator of claims as jointly requested by Plaintiffs' Counsel and American Medical Systems, Inc.

American Medical Systems, Inc. does not oppose Plaintiffs' Counsel's request.

The Court, pursuant to its inherent authority, and having considered the request, and cognizant of the important public policy of encouraging settlement among litigating parties, hereby issues the following Order.

IT IS ORDERED THAT:

1. Moshe Horn, 2095 Broadway, Suite 411, New York, NY 10023 is hereby appointed as the Settlement Master for the administration of the settlement reached between Kirklin Soh, LLP and American Medical Systems, Inc. , related to the implantation of American Medical Systems, Inc. Pelvic Repair Products (as defined in the Settlement Agreement).
2. The duties of the Settlement Master shall be as set forth in the confidential Settlement Agreement entered into between Plaintiffs' Counsel and American Medical Systems, Inc.
3. In furtherance of the fair and efficient administration and implantation of the settlements, the Settlement Master may have ex parte communications with the parties to the Settlement Agreement, Plaintiffs' Counsel and their clients, or American Medical Systems, Inc. and its counsel, and such ex parte

communications shall not be deemed to have waived any attorney client privileges.

4. The Settlement Master shall be compensated privately as specified respectively in the Settlement Agreement or by agreement with Plaintiffs' Counsel.
5. Subject to approval and Order of the Court, any firm settling claims against American Medical Systems, Inc. related to its pelvic repair system products may engage the Settlement Master to perform the duties as set forth in that party's settlement agreement. When so approved by the Court, this Order shall apply.
6. An affidavit by the Settlement Master has been submitted and is attached hereto.
7. The Settlement Master shall report to the Court as requested by the Court.

The Court DIRECTS the Clerk to file a copy of this order in 2:12-md-02325 and it shall apply to each member related cases with Plaintiff's identified on Exhibit A attached hereto.

ENTER: February 25, 2019



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

EXHIBIT A

Exhibit A

LastName	FirstName
Alexander	Pamela
Anderson	Kelly
Barker	Cathy
Barrera	Jennifer
Bates	Jacqueline
Briggs	Dorothy
Brown	Tanya
Clark	Kelly
Dasalla	Georgina
Davis	Adriana
Delgado	LaVonn
Dorshorst	Lorraine
Garcia	Laura
Gibbs	Joanne
Gillenwater	Tammy
Givens	Lyndsay
Gomez	Mary
Gomez-Beddawi	Virginia
Grob	Kimberly
Hart	Laurie
Hawkins	Adelina
Hernandez	Jeanette
Hodge	Roxanne
Howard	Patricia
Juska	Ann
Justice	Nancy
Kensler	Janelle
Kinsler	Dorothy
Kirchoff	Jacque
Kukla	Connie
Landon	Debbie
Lausch	Elizabeth
Lehto	Frances
Leyva	Jeannene
Locklear	Ginna
Lyons	Ashley
Marino	Catherine
Matarona	Pamela
McGinnis	Angela
McNeil	Joanne

McPherson	Wanda
Perkins	Stacy
Perretta	Traci
Quinn	Carol
Roberts	Stacey
Schoephoerster	Eileen
Shepherd	Ginger
Sloniker	Rita
Smith	Bridgette
Sowa	Julie
Squires	Mary
Stabler	Lisa
Tenaglio	Cindy
Thomas	Patricia
Thompson	Virginia
Waffle	Kara
Wallis	Rachelle
Ward	Elizabeth
Whitton	Kathleen
Wilhold	Katherine
Yose	Mary
Zartman	Loretta

EXHIBIT B

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Affidavit of Moshe Horn

THE STATE OF NEW YORK

NEW YORK COUNTY

Moshe Horn, being duly sworn, deposes as follows:

1. I am an attorney at law licensed to practice in the state of New York. I was admitted to the New York Bar in 1993.

2. I have over 25 years legal experience. After the completion of Law School I worked as a prosecutor at the Manhattan District Attorney for ten years. After leaving that office I worked at the leading firm of Kaye Scholer working primarily on products liability matters for three years. I then worked at Seeger Weiss, one of the country's leading mass torts plaintiffs' firms for a period of 13 years. I have prosecuted product liability claims on behalf of thousands of plaintiffs, and have defended product liability claims on behalf of several major corporations. I have tried over 100 cases in a variety of jurisdictions, and in all types of matters, including civil and criminal. I have also served as an adjunct professor of law in the field of mass torts and trial advocacy. I have also spoken at over 20 CLEs on product liability law, jury selection and trial advocacy.

3. I have received numerous accolades from legal peers, including being named as one of the Best Lawyers in America, Best Lawyers in New York, Superlawyers and Top 100 trial lawyers.

4. I have conducted numerous arbitrations and mediations in my career, both private and court appointed. I have represented both plaintiffs and defendants at these events. I have been involved in settlement negotiations and the administration of settlements involving numerous mass torts including the creation of settlement criteria, and working with clients to administer these settlements. I have familiarized myself with the nuances and criteria of numerous mass tort settlements both from the defense and plaintiff's perspective.

5. I have actively been involved in and worked on, the following Multi District Litigations

2002 -- In re: Rezulin (MDL No. 1348) S.D. NY

2004 -- In re: PPA (MDL No. 1407) W.D. Washington

2004 -- In re: Vioxx (MDL No. 1657) E.D. Louisiana

2015 -- In re: Tylenol (MDL No. 2436) E.D. Pennsylvania

2016 -- In re: Syrgenta (MDL No. 2591) D. Kansas

2016 -- In re: Testosterone (MDL 2545) N.D. Illinois

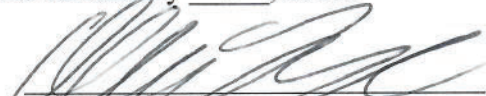
6. I have thoroughly familiarized myself with the issues involved in the cases involving AMS products. As a result of my knowledge of that case, I can attest and affirm that there are no grounds for

disqualification that would prevent me from serving as special master in the above captioned matter. I have reviewed the pleadings, medical information and scientific information pertaining to mesh cases generally and specifically as it relates to the litigation involving AMS manufactured products. I will use the information gathered and my experience in performing my duties as Special Master.



Moshe Horn

SWORN TO AND SUBSCRIBED before me on February 4, 2019.



(Notary Public, State of New York)

ADAM KANNE LANGE
Notary Public, State of New York
No. 02LA6322934
Qualified in Kings County
Commission Expires April 13, 2019

Adam Lange

Notary's Printed Name

My commission expires: 4/13/19