

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

**CHARLESTON DIVISION**

<b>In Re: American Medical Systems, Inc. Pelvic Repair System Product Liability Litigation</b>
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**MDL No. 2325**

THIS DOCUMENT RELATES TO ALL CASES

PRETRIAL ORDER # 289 (ORDER APPOINTING MATT GARRETSON AS SETTLEMENT  
MASTER FOR PRIVATE SETTLEMENT AGREEMENTS BETWEEN AMERICAN  
MEDICAL SYSTEMS, INC. AND SANDERS PHILLIPS GROSSMAN, LLC)

Pending is Plaintiff's Unopposed Motion to Appoint Special Master and Memorandum in Support, filed October 25, 2020. [ECF No. 7584]. Sanders Phillips Grossman, LLC ("Plaintiffs' Counsel") has entered into a 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 Matt Garretson is well-qualified to perform these and other functions discussed below. Pursuant to the Court's inherent case management powers, Plaintiffs' counsel request the appointment of Matt Garretson 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. American Medical Systems, Inc. does not oppose Plaintiffs' Counsel's request.

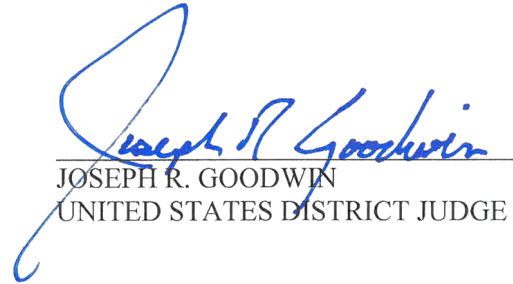
The Court, pursuant to its inherent authority, and having considered the request, and cognizant of the important public policy of encouraging settlement among litigating parties, **ORDERS** as follows:

1. Plaintiffs' Unopposed Motion [ECF No. 7584] is **GRANTED**.
2. Matt Garretson is appointed as the Settlement Master for the administration of the settlement reached between Sanders Phillips Grossman, LLC and American Medical Systems, Inc., related to the implantation of American Medical Systems, Inc. Pelvic Repair Products (as defined in the Settlement Agreement).
3. 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.
4. 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, American Medical Systems, Inc. and its counsel, or the Court, and such ex parte communications shall not be deemed to have waived any attorney client privileges.
5. The Settlement Master shall be compensated privately as specified respectively in the Settlement Agreement or by agreement with Plaintiffs' Counsel.

6. 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 the Sanders Phillips Grossman, LLC Plaintiffs.

ENTER: October 26, 2020



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE