

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

IN RE: BOSTON SCIENTIFIC CORP.)
PELVIC REPAIR SYSTEM PRODUCTS)
LIABILITY LITIGATION)
)
) MDL Docket No. 2326
) HONORABLE JUDGE JOSEPH R.
) GOODWIN

PRETRIAL ORDER # 197
(ORDER TO ADMINISTER SETTLEMENTS
RESOLVING CASES AND CLAIMS OF DUNKEN LAW GROUP, PLLC PLAINTIFFS)

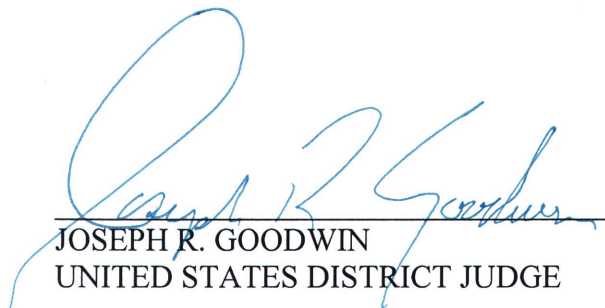
Pending is an Unopposed Motion for Approval of a Qualified Settlement Fund, filed November 1, 2018. [ECF No. 6843]. Upon consideration of the Motion of Dunken Law Group, PLLC (“Dunken”) and for good cause shown, the court hereby **ORDERS** as follows:

1. The Unopposed Motion is **GRANTED**.
2. In order to assist in the administration of the settlement of claims brought by the clients of Dunken (which shall include all plaintiffs represented by Dunken in the settlement agreement executed April 17, 2018, as well as any clients of Dunken who enter into settlements with defendants in the future), the Dunken-BSC Qualified Settlement Fund shall be established as a Qualified Settlement Fund within the meaning of Treasury Regulation Section 1.468B-1, pursuant to this court’s continuing subject matter jurisdiction over the underlying matter and consistent with Treas. Reg. Section 1.468B-1(c)(1). All settlements reached by and between Plaintiffs in state or federal litigation or Claimants who are represented by Dunken pursuant to the Master Settlement Agreement dated as of April 17, 2018, shall be paid into The Dunken-BSC Qualified Settlement Fund.

3. The Garretson Resolution Group, Inc. is appointed as Fund Administrator and shall serve pursuant to the terms, conditions and restrictions of the Unopposed Motion, the Settlement Agreement, and the Qualified Settlement Fund Agreement. Dunken and said Fund Administrator are given the authority to conduct any and all activities necessary to administer this Fund as described in the Motion.
4. The Dunken-BSC Qualified Settlement Fund, which includes all principal and interest earned thereon, shall be deposited in an account held in custody at Evolve Bank & Trust, and such bank shall serve as the Custodian of the Fund. Investment related decisions shall be made pursuant to the terms and conditions set forth in the Motion, and disbursements from The Dunken-BSC Qualified Settlement Fund shall be made pursuant to the terms of the Settlement Agreement and Qualified Settlement Fund Agreement to be executed by the parties following the date of this Order.
5. The Fund Administrator is authorized to effect qualified assignments of any resulting structured settlement liability within the meaning of Section 130(c) of the Internal Revenue Code to the qualified assignee.
6. The Fund Administrator is further authorized, upon final distribution of all monies paid into the Fund, to take appropriate steps to wind down the fund, and thereafter the Fund Administrator is discharged from any further responsibility with respect to the Fund.

The court DIRECTS the Clerk to file a copy of this order in 2:12-md-02326 and it shall apply to each member related case. 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: November 1, 2018



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE