

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

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

**PRETRIAL ORDER # 215**  
**(ORDER TO ADMINISTER SETTLEMENTS RESOLVING CASES**  
**AND CLAIMS OF ANDRUS WAGSTAFF, P.C. PLAINTIFFS)**

Pending is an Unopposed Motion for Approval of a Qualified Settlement Fund, filed September 12, 2019. [ECF # 8286]. Upon consideration of the Motion of Andrus Wagstaff, P.C. (“Andrus

Wagstaff”) and for good cause shown, the court hereby **ORDERS** as follows:

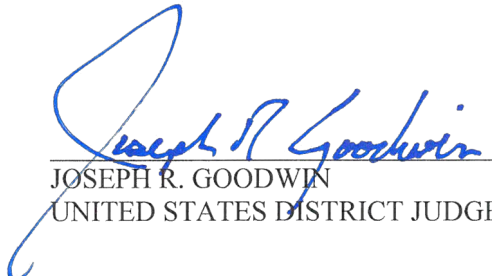
1. The Unopposed Motion [ECF # 8286] is **GRANTED**.
2. To assist in the administration of the settlement of claims brought by the clients of Andrus Wagstaff (which shall include all plaintiffs represented by Andrus Wagstaff in the settlement agreement dated March 12, 2018 with Boston Scientific Corporation (“BSC”), as well as any clients of Andrus Wagstaff who enter into settlements with BSC in the future), the Andrus Wagstaff BSC QSF 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 Andrus Wagstaff

pursuant to the Master Settlement Agreement dated March 12, 2018 shall be paid into the Andrus Wagstaff BSC QSF (the “QSF”).

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 Master Settlement Agreement, and the Qualified Settlement Fund Agreement, which is attached to the Motion and which will be executed substantially in the same form as identified therein. Andrus Wagstaff and said Fund Administrator are given the authority to conduct any and all activities necessary to administer this QSF as described in the Motion.
4. The QSF, which includes all principal and interest earned thereon, shall be deposited in an account held in custody at Central Trust Bank, with such bank serving as the Custodian of the QSF. Investment related decisions shall be made pursuant to the terms and conditions set forth in the Motion, and disbursements from QSF shall be made pursuant to the terms of the Master Settlement Agreement and the Qualified Settlement Fund Agreement.
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 QSF, to take appropriate steps to wind down the QSF, and thereafter the Fund Administrator is discharged from any further responsibility with respect to the QSF.

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 previously transferred to, removed to, or filed in this district *where applicable*, which are identified by the Master Settlement Agreement, dated March 12, 2018. 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](http://www.wvsc.uscourts.gov).

ENTER: 9/16/19

  
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JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE