

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

**IN RE: COLOPLAST CORP.
PELVIC SUPPORT SYSTEMS PRODUCTS
LIABILITY LITIGATION**

MDL NO. 2387

PRETRIAL ORDER NO. # 156
(Order Re: Salim-Beasley Coloplast Settlement Successor Escrow Agreement)

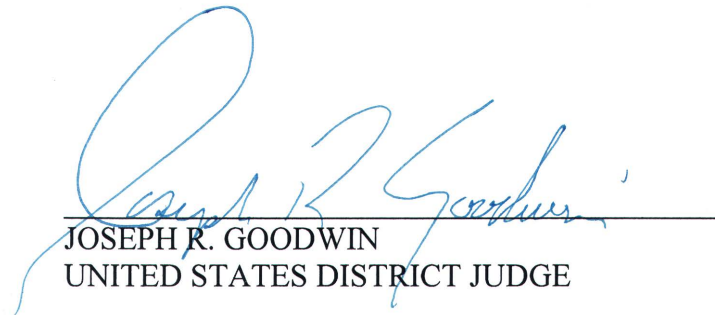
Pending is a Motion for Approval of the Salim-Beasley Coloplast Settlement Successor Escrow Account. Salim-Beasley, LLC (“SALIM-BEASLEY”), as counsel for certain plaintiffs in this MDL 2387, and defendant Coloplast Corp. (“COLOPLAST”), have jointly moved for entry of an Order to aid in the efficient processing and administration of a confidential settlement agreement (the “Settlement Agreement”) between SALIM-BEASLEY and COLOPLAST to resolve the claims of certain claimants against COLOPLAST relating to COLOPLAST pelvic implants, which the Court granted. *See* Doc. No. 705. In particular, the joint Motion before the Court seeks an Order: (1) approving the Salim-Beasley Coloplast Settlement Successor Escrow Agreement (the “Successor Escrow Agreement”), attached hereto as Exhibit A, which forms the Salim-Beasley Coloplast Settlement Escrow Account (the “Escrow Account”), (2) retaining continuing jurisdiction and supervision over the Escrow Account upon transfer to Mid-South Bank, and (3) determining that the Escrow Account retains its status as a “qualified settlement fund” within the meaning of section 468B of the Internal Revenue Code of 1986, as amended (“Code”) and Treasury Regulation sections 1.468B-1, *et seq.* (“Regulations”).

The Court, having reviewed the joint Motion and the Successor Escrow Agreement, and finding good and sufficient cause therefor, hereby **FINDS** and **ORDERS** as follows:

- 1) The joint Motion [ECF No. 2414] is **GRANTED**;
- 2) The terms of the Successor Escrow Agreement are hereby approved; and
- 3) The Escrow Account constitutes a qualified settlement fund within the meaning of section 468B of the Internal Revenue Code of 1986, as amended (the “Code”) and Treasury Regulation sections 1.468B-1, *et seq.* The Court further retains continuing jurisdiction and supervision over the Escrow Account, in accordance with the terms of the Successor Escrow Agreement.

The court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-02387 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.wvwd.uscourts.gov.

ENTERED: April 22, 2019



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE