

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

IN RE: PRADAXA (DABIGATRAN)	3:12-md-02385-DRH-
SCW	
ETEXILATE) PRODUCTS LIABILITY)	MDL No. 2385
LITIGATION)	
Herndon	Judge David R.

This Document Relates to: All Cases

**ORDER CONCERNING DISTRIBUTION OF COMMON BENEFIT
FEES AND EXPENSES**

HERNDON, District Judge:

On May 28, 2014, after many months of hard-fought litigation with both sides zealously advocating for their clients, the parties entered into the Pradaxa Product Liability Litigation Master Settlement Agreement as detailed in prior orders entered by this Court.

On May 29, 2014, the Court issued Case Management Order 77 appointing Randi Ellis as Special Master with the task of providing the Court with a Report Recommending the Distribution of Common Benefit Fees and Expenses. On December 4, 2014, the Court received such Report (Doc. 601), along with Exhibit 1. On the same date, the Court provided a docket entry stating that responses and objections (if any) shall be submitted (not filed) no later than December 11, 2014. On December 11, 2014, three objections were submitted. All three

objections have been withdrawn. Based on the resolution of the objections, the Court deems the amounts to be awarded to each law firm that performed common benefit work, as recommended in the Special Master's Report and Recommendation, to be unanimously agreed to by all law firms involved in this litigation and who have an interest in the distribution of the common benefit fees.

The Court has reviewed the Special Master's Report and Recommendations on the Distribution of Common Benefit Fees and Expenses, which was based on, *inter alia*, (a) a detailed analysis and audit of the time and expense records submitted by each firm, as performed by the Special Master, (b) interviews by the Special Master with each law firm who submitted a claim for an award of common benefit fees and expenses to permit the firms to explain their role in the litigation and the benefit they conferred towards the common good, and (c) a transparent process that has been overseen by this Court. Based on all of the information available to the Court and the unanimity of the involved firms, the Court finds the recommended distribution to be fair and reasonable. The Court need not analyze the objections inasmuch as they have been withdrawn. The Court need not analyze here in detail the report of the Special Master, which it has done *in camera*, since it has been accepted unanimously by all the beneficiaries. Therefore, the Court adopts the Special Master's Report and Recommendations on Distribution of Common Benefit Fees and Expenses and orders the

distribution of Common Benefit Fees and Expenses in accordance with the terms of the Special Master's Report and Recommendations on Distribution of Common Benefit Fees and Expenses. The Court further orders that the distribution of Common Benefit Fees and Expenses shall be made forthwith.

IT IS SO ORDERED.

Signed this 20th day of January, 2015.

David R. Herndon
Digitally signed by
David R. Herndon
Date: 2015.01.20
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The seal of the United States District Court, Southern District of New York, is circular. It features an eagle with wings spread, perched on a shield with vertical stripes. The eagle is surrounded by a laurel wreath. The text "UNITED STATES DISTRICT COURT" is written in a circle around the top, and "SOUTHERN DISTRICT OF NEW YORK" is written around the bottom.

**District Judge
United States District Court**