

THE HONORABLE BARBARA J. ROTHSTEIN

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OCT 10 2003

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE: PHENYLPROPANOLAMINE (PPA)
PRODUCT LIABILITY LITIGATION

MDL Docket No. 1407

This document relates to all actions.

CASE MANAGEMENT ORDER NO.
16 ESTABLISHING MDL 1407 FEE
AND COST TRUST ACCOUNT AND
PROCEDURES

On July 8, 2002, the Court signed Amended Case Management Order No. 8, Establishing Plaintiffs' Litigation Expense Fund To Compensate and Reimburse Attorneys for Services Performed and Expenses Incurred for Common Benefit. The following additional and amended procedures are hereby adopted to effectuate Amended Case Management Order No. 8 and to (1) assist counsel in fulfilling their obligation to the Court, (2) protect the confidentiality of the information submitted to and from the Trustee, and to (3) insure the accuracy of the information provided.

MDL 1407 FEE AND COST TRUST ACCOUNT

Pursuant to a request from the Plaintiffs' Steering Committee, the Court hereby appoints the trust department of Northern Trust Bank to serve as Trustee for the MDL 1407 Fee and Cost Account. The administration of this trust shall, unless otherwise required by RCW Title 11, be

CASE MANAGEMENT ORDER NO. 16 ESTABLISHING MDL 1407
FEE AND COST TRUST ACCOUNT AND PROCEDURES - 1

Williams, Kastner & Gibbs PLLC
Two Union Square, Suite 4100 (98101-2380)
Mail Address: P.O. Box 21926
Seattle, Washington 98111-3926
(206) 628-6600

1475466.1



00-MD-01407-ORD

1 governed by this Order. Liaison Counsel are hereby directed to execute and sign any documents
2 required by the Trustee to establish the trust. The Trustee is directed to invest all MDL 1407 Fee
3 and Cost Account funds in a government select mutual fund, consisting exclusively of securities
4 issued or guaranteed as to principal and interest by the U.S. Government, its agencies or instru-
5 mentalities, so that interest will be generated on the common benefit funds for the common bene-
6 fit of those entitled to reimbursement of costs and payment of attorneys' fees, as identified in
7 paragraph 1 of Amended Case Management Order No. 8. The Trustee shall reinvest interest gen-
8 erated by the account. Any taxes owed on interest earned by the MDL 1407 Fee and Cost
9 Account shall be paid by the Trustee from common benefit funds. Defendants and their counsel
10 are not entitled to interest generated from the MDL 1407 Fee and Cost Account and, therefore,
11 have no responsibility for paying taxes on any such interest generated by the Account. The
12 Trustee's fees and expenses also shall be paid from common benefit funds, and Defendants and
13 their counsel shall have no responsibility for paying any such fees or expenses. No other distri-
14 bution of trust income or principal shall be made except upon Order of the Court.

15 CLAIMANTS SUBJECT TO ASSESSMENT

16 Plaintiffs' Liaison Counsel (PLC) will prepare a list of lawyers/law firms/claimants who
17 are subject to a common benefit assessment on state court claims, as defined in paragraphs 3
18 through 5 of Amended CMO No. 8. A current list is attached hereto as Exhibit 1. It is anticipated
19 PLC will update (as needed) this list and the list of all defendants and defense counsel of record in
20 state cases where the plaintiff attorney has agreed to be subject to the assessment. Liaison Coun-
21 sel will promptly serve upon the attorneys of records in these additional cases copies of CMO 8
22 and 16 with exhibits. Updates of the list of lawyers/law firms/claimants who are subject to a
23 common benefit assessment on state court claims will be posted by PLC on the US District Court
24 PPA MDL website at <http://www.wawd.uscourts.gov/wawd/mdl.nsf/main/page>. It shall be the
25 responsibility of Liaison Counsel to serve CMO 8 and 16 (including the exhibits hereto) on

CASE MANAGEMENT ORDER NO. 16 ESTABLISHING MDL 1407
FEE AND COST TRUST ACCOUNT AND PROCEDURES - 2

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1 attorneys of record in this MDL and in state cases where the plaintiff attorney has agreed to be
2 subject to the common benefit assessment set forth in Amended CMO No. 8. Plaintiffs' Liaison
3 Counsel and Defendants' Liaison Counsel (DLC) will cooperate in preparing a list of the attor-
4 neys to be served with CMO No. 16 and the exhibits hereto. Plaintiffs' Liaison Counsel will
5 serve known plaintiff counsel in the MDL and plaintiffs' counsel in state cases who are subject to
6 a common benefit assessment. Plaintiffs' Liaison Counsel will provide Defendants' Liaison
7 Counsel with a list of all defendants and defense counsel of record in state cases where the plain-
8 tiff attorney has agreed to be subject to the assessment set forth in Amended CMO No. 8. Defen-
9 dants' Liaison Counsel will serve known MDL defense attorneys of record and attorneys on the
10 list of all defendants and defense counsel of record on the list provided to Defendants' Liaison
11 Counsel by Plaintiffs' Liaison Counsel in state cases where the plaintiff attorney has agreed to
12 be subject to this assessment set forth in Amended CMO No. 8. Plaintiffs' Liaison Counsel and
13 Defendants' Liaison Counsel will use reasonable diligence in serving attorneys with CMO No. 16
14 and the exhibits hereto, so that those attorneys are on notice that assessments need to be withheld,
15 pursuant to the terms of Amended Case Management Order No. 8. However, Plaintiffs' Liaison
16 Counsel and Defense Liaison Counsel, in undertaking the task of providing such notice, are acting
17 solely to assist in the collection of the assessments, and Defense Liaison Counsel and Plaintiffs'
18 Liaison Counsel will not be subject to any liability whatsoever with regard to the notification of
19 attorneys or parties or with regard to the collection of the assessments.

20 All plaintiffs' counsel subject to an assessment because they have a case pending in this
21 MDL or because they have signed a state-federal coordination agreement with the Plaintiffs'
22 Steering Committee, shall within 20 days of this order provide PPA Liaison Counsel a complete
23 list of their PPA Personal Injury cases, which shall include the names of all parties to each case
24 and jurisdiction and cause number of where the case is pending.

1 TENDER OF PAYMENT FORM

2 Before paying any settlement/judgment to any claimant/plaintiff or their counsel, each
3 defendant subject to the jurisdiction of this Court shall fully complete a Tender of Payment Form.
4 A copy of the Tender of Payment Form approved by the Court is attached as Exhibit 2. Each
5 defendant subject to the jurisdiction of this Court shall require that each claimant/plaintiff or their
6 counsel fully complete plaintiff's portion of the Tender of Payment Form before defendant dis-
7 tributes any payment of settlement/judgment monies to any claimant/plaintiff or their counsel.
8 Every claimant/plaintiff's counsel (and their firms) receiving any portion of a fee from the settle-
9 ment/judgment must be listed on the form.

10 In cases in which a settlement/judgment is to be paid by a defendant not subject to the
11 jurisdiction of this Court, but in which the claimant/plaintiff or their counsel receiving the settle-
12 ment/judgment is subject to a common benefit assessment pursuant to the terms of Amended Case
13 Management Order No. 8, the claimant/plaintiff or their counsel shall be required to initiate the
14 completion of Tender of Payment Form and follow the procedures set forth in this Order. Every
15 claimant/plaintiff's counsel (and their firms) receiving any portion of a fee from the settlement/
16 judgment must be listed on the Tender of Payment Form.

17 Procedure When Assessment is Due. For each claim from which an assessment is due, at
18 or before the time of distribution of any payment to a claimant/plaintiff or their counsel, the
19 defendant shall forward a cashier's check or wire transfer in the amount mandated by Amended
20 Case Management Order No. 8, along with a completed copy of the authorized Tender of Pay-
21 ment Form, to the Trustee. All wire transfers must be pre-approved by the Trustee. Upon receipt
22 of assessment funds, the Trustee must immediately deposit assessment funds into the MDL 1407
23 Fee and Cost Account, then complete the "For Trustee's Use Only" section of the Tender of
24 Payment Form. The Trustee shall forward one copy each of the completed Tender of Payment
25 Form to the "Remitting Counsel" and the "Opposing Counsel" identified on the Tender of Pay-

1 ment Form, using envelopes marked "Personal and Confidential." The Trustee shall not send the
2 Tender of Payment Form or disclose any of its contents to any other person or entity. The Trustee
3 shall maintain copies of the Tender of Payment Forms and keep records so that in the event that
4 the Court directs a refund of any MDL 1407 Fee and Cost Account balance at the conclusion of
5 this litigation, the Trustee will be able to distribute the balance on a pro rata basis to each claim-
6 ant/plaintiff who paid an assessment, should the Court so order.

7 Procedure When No Assessment Is Due. Fourteen days prior to paying any settlement/
8 judgment disposing of any claim from which no assessment is due, "Remitting Counsel," i.e.,
9 counsel for the defendant, shall send by overnight mail copies of the Tender of Payment Form to
10 Plaintiffs' Liaison Counsel in an envelope marked "Personal and Confidential," but the "Section
11 II – Settlement Information" of the Tender of Payment Form shall be redacted on the copy sent to
12 Plaintiffs' Liaison Counsel by "Remitting Counsel" prior to mailing. Upon receipt of any such
13 Tender of Payment Form, Plaintiffs' Liaison Counsel shall review the information submitted to
14 determine whether no assessment is due. Should it be determined that an assessment is due,
15 Plaintiffs' Liaison Counsel shall notify all counsel listed on the Tender of Payment Form of that
16 determination and the reasons supporting same. Any such notification shall be served by Plain-
17 tiffs' Liaison Counsel by overnight mail within ten days of receipt of the Tender of Payment
18 Form, and a copy of same shall be filed with the Court "Under Seal." If such a determination is
19 made and timely served, the defendant shall forward to the Trustee, within ten days of such noti-
20 fication from Plaintiffs' Liaison Counsel, a cashier's check or wire transfer in the amount of the
21 disputed assessment, along with instructions that the funds should be deposited into an interest
22 bearing "Disputed Assessments Account" to be set up by the Trustee. The Trustee's fees and
23 expenses associated with the Disputed Assessments Account shall be paid from common benefit
24 funds, and Defendants and their counsel shall not have any responsibility for paying any fees,
25 expenses, or taxes associated with the Disputed Assessments Account.

1 PROTECTIVE ORDER

2 The Court hereby issues a protective order prohibiting the Trustee or Plaintiffs' Liaison
3 Counsel from disclosing the identities of settling parties, the amount of settlements, or any other
4 information disclosed to them via the Tender of Payment Forms. If it becomes necessary for
5 Plaintiffs' Liaison Counsel to address payment disputes, any papers that need to be filed with the
6 Court in connection with the dispute shall be filed with the Court "Under Seal," pursuant to pro-
7 cedures established by the Court in Case Management Order No. 2.

8 TRUST BALANCE REPORTING REQUIREMENTS

9 On the first business day of every month, the Trustee shall provide Plaintiffs' and Defen-
10 dants' Liaison Counsel with the total number of deposits made by Defendants collectively into the
11 MDL 1407 Fee and Cost Trust Account and the Disputed Assessments Account. Further from
12 time to time as directed by the Court, upon application of either Liaison Counsel (upon notice to
13 opposing Liaison Counsel), the Trustee shall notify Liaison Counsel in writing of the total sum of
14 principal deposits, interest accrued, disbursements and total current balance of the MDL 1407 Fee
15 and Cost Account. Within 20 days of being served with notice of such application, Liaison Coun-
16 sel may oppose a request for a report on the grounds that rendering such a report at the time
17 requested will result in the disclosure of otherwise confidential information. The ledger of indi-
18 vidual deposits into the account shall remain confidential as to all parties and counsel.

19 DISPUTES INVOLVING ASSESSMENTS

20 Any settling plaintiff or plaintiff's counsel who disputes the appropriateness of an assess-
21 ment is instructed to take that matter up with Plaintiffs' Liaison Counsel and, if necessary, this
22 Court. If such a dispute needs to be directed to this Court, it shall be done so "Under Seal" in
23 such a way that it protects the confidentiality of the settling parties and, if it is necessary to submit
24 such information to the Court, the "Settlement Amount." (In presenting an assessment-related
25 dispute, the "Settlement Amount" shall not be submitted to this Court unnecessarily, even though

1 it would be submitted "Under Seal," and the Settlement Amount shall not be disclosed to Plain-
2 tiffs' Liaison Counsel.)

3 It is the intention of the Court to protect through this Order, and if necessary through
4 additional Orders, Defendants and their counsel from being drawn into disputes over the appro-
5 priateness of MDL assessments. If a Defendant has paid an assessment to the Trustee, or trans-
6 mitted disputed assessment funds to the Trustee to be escrowed in the Disputed Assessments
7 Account, in a case pursuant to Amended Case Management Order No. 8 and this Order, Defen-
8 dant and its counsel are absolved of any further responsibility involving that assessment, includ-
9 ing, without limitation, the need to refund that assessment in the event a determination is made
10 later that an assessment in that case was not due. Furthermore, if a Defendant has paid or
11 escrowed an assessment in a case pursuant to Amended Case Management Order No. 8 and this
12 Order, Defendant and its counsel shall not be subject to complaints by Plaintiff or its counsel in
13 any forum. If for any reason an MDL assessment is due but is not withheld, the settling plaintiff
14 and his/her counsel shall be jointly responsible for promptly paying the assessment into the MDL
15 Fee and Cost Account. Defendants and their counsel shall not be responsible for paying assess-
16 ments in cases in which an assessment is due but was not withheld, except that the Court reserves
17 the right to grant appropriate relief for any willful violation of its Order by a settling Defendant or
18 its counsel.

19 If despite the clear directive in this Order that Defendants and their counsel are not to be
20 drawn into disputes over the appropriateness of MDL assessments, a Plaintiff or counsel for a
21 Plaintiff seeks to draw a Defendant or its counsel into a dispute over whether an assessment is
22 due, that Defendant or its counsel may file a motion with this Court "Under Seal" seeking, among
23 other relief, an Order directing the dispute to Plaintiffs' Liaison Counsel. Upon receiving such a
24 request, this Court contemplates issuing, perhaps among other relief, a form Order as follows:
25

1 This matter is before the Court upon motion of [insert name of moving party] to refer a
2 dispute over the appropriateness of an assessment in [insert case name] to Plaintiffs' Liaison
3 Counsel. The motion is hereby granted, and Plaintiffs' Liaison Counsel is hereby directed to
4 handle the dispute in such a way that it protects the confidentiality of settlement-related informa-
5 tion by, for example, filing any papers relating to any such dispute "Under Seal." If [insert name
6 of moving party] has already paid an assessment in the above-referenced case to the Trustee of
7 the MDL Fee and Cost Account, or transmitted disputed assessment funds to the Trustee to be
8 escrowed in the Disputed Assessment Account, that Defendant and its counsel are absolved of
9 any further responsibility involving the payment, or refund, of an MDL assessment in [insert case
10 name]. If a Defendant or its counsel has paid or escrowed an assessment in a case pursuant to
11 Amended Case Management Order No. 8 and this Order, Defendant and its counsel shall not be
12 subject to a complaint in any forum. It is the intention of this Court that Defendants and their
13 counsel not be prejudiced in any way by following this Court's directives in the payment or
14 escrowing of assessments pursuant to Amended Case Management Order No. 8 and this Order.

15 IT IS SO ORDERED.

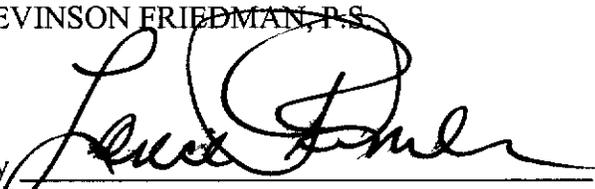
16 If necessary, this Court stands ready to provide other relief necessary to protect Defen-
17 dants and their counsel from any prejudice or potential prejudice that may result from following
18 the directives of this Court in Amended Case Management Order No. 8 and this Order.

19 DATED Oct. 10, 2003.

20
21 
22 THE HONORABLE BARBARA J. ROTHSTEIN
23 UNITED STATES DISTRICT COURT JUDGE
24
25

1 PRESENTED BY:

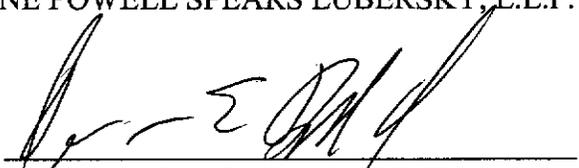
2 LEVINSON FRIEDMAN, P.S.

3
4 By 
5 Lance Palmer, WSBA #18141

6 Plaintiffs' Liaison Counsel

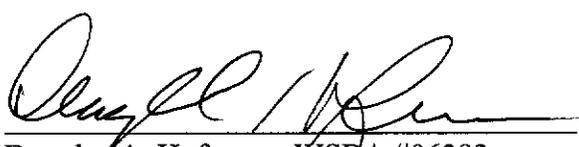
7 APPROVED AS TO FORM;
8 NOTICE OF PRESENTATION WAIVED:

9 LANE POWELL SPEARS LUBERSKY, L.L.P.

10
11 By 
12 Warren Babb, WSBA #13410

13 Defense Co-Liaison Counsel

14 WILLIAMS, KASTNER & GIBBS PLLC

15
16 By 
17 Douglas A. Hofmann, WSEA #06393

18 Defense Co-Liaison Counsel

19
20
21
22
23
24
25

Exhibit 1

Firm	Address	City	State	ZIP
Abraham, Watkins, Nichols, Sorrels, Matthews & Friend	800 Commerce Street	Houston	TX	77002
Alley Ingram	701 E Washington Street, P.O. Box 3127	Tampa	FL	33601
Anapol, Schwartz, Weiss, Cohan, Feldman & Smalley, P.C.	1900 Delancey Place	Philadelphia	PA	19103
Ashcraft & Gerel	200 L Street NW, Suite 400	Washington	DC	20036
Beasley, Allen, Crow, Methvin, Portis & Miles, P.C.	218 Commerce Street, P.O. Box 4160	Montgomery	AL	36104
Berke Berke & Burke	832 Georgia Ave, Suite 1230	Chattanooga	TN	37402
Bogue Koury Law Firm	1401 17th Street, Suite 320	Denver	CO	80202
Bohrer Law Firm, L.L.C.	3388 Brentwood Dr.	Baton Rouge	LA	70809
Burg Simpson Eldredge Hersh Jardine PC	40 Inverness Drive E	Englewood	CO	80112
Burns, Cunningham, Mackey & Fillingim PC	P.O. Box 1583	Mobile	AL	36633
Clark, Depew & Tracey, Ltd., LLP	440 Louisiana, 16th Floor	Houston	TX	77002
Cohen, Milstein, Hausfeld, & Toll, P.L.L.C.	West Tower, Suite 500 1100 New York Ave, NW	Washington	DC	20005-3964
Cory, Watson, Crowder, & Degaris, P.C.	2131 Magnolia Ave P.O. Box 55927	Birmingham	AL	35255
Domengeaux Wright Roy Edwards	556 Jefferson Street	Lafayette	LA	70502-3668
Early, Ludwick & Sweeney	One Century Tower, 11th Floor 265 Church Street	New Haven	CT	06508-1866
Frazer Davidson	500 E. Capitol Street	Jackson	MS,	39201
Gale D. Pearson & Associates P.A.	1012 Grain Exchange Building 400 South Fourth Street	Minneapolis	MN	55415
Gancedo & Nieves L.L.P.	119 E Union St. Suite G	Pasadena	CA	91103
Herman, Mathis, Casey, Kitchens & Gerel	820 O'Keefe Avenue	New Orleans	LA	70113
James T. Capretz, Attorney at Law	5000 Birch St, Ste 2500	Newport Beach	CA	92660
John H. Westover, Attorney at Law	P.O. Box 32748	Phoenix	AZ	85064
Kirk Law Firm	4265 San Felipe St., Suite 1400	Houston	TX	77027
Kline & Specter	1525 Locust Street, 19th Floor	Philadelphia	PA	19102
Law Office of Daniel E. Becnel Jr.	106 W. Seventh St. P.O. Drawer H	Reserve	LA	70084
Law Office of Vic Terry	12221 Merit Drive, Suite 1650	Dallas	TX	75251-2251
LeBlanc Maples & Waddell	5353 Essen Ln, Suite 420	Baton Rouge	LA	70809
Levin, Fishbein, Sedran & Berman	510 Walnut Street, Suite 500	Philadelphia	PA	19106
Levin, Papantonio, Middlebrooks, Thomas, Mitchell, Green, Echsner & Proctor	316 South Baylen Street	Pensacola	FL	32501
Levinson Friedman	720 Third Ave, Suite 1800	Seattle	WA	98104-1845
Levy Angstreich Finney Baldante Rubenstein & Coren	1616 Walnut Street, 5th Floor	Philadelphia	PA	19103

EXHIBIT |

Lopez, Hodes, Restaino, Milman, Skikos, & Polos	450 Newport Center Dr, 2nd Floor	Newport Beach	CA	92660
McCraney, Nosef, Montagnet & Sanford PLLC	11 Northtown Dr. Suite 220	Jackson	MS	39211
McKernan Law Firm	8710 Jefferson Hwy.	Baton Rouge	LA	70809
Merritt & Associates	P.O. Box 1377	Oklahoma City	OK	73101
Milberg, Weiss, Bershad, Hynes, & Lerach L.L.P.	One Pennsylvania Plaza	New York	NY	10119
Miller & Associates	809 Cameron Street	Alexandria	VA	22314
Miller & Curtis	Ten Thousand North Central Expressway, Suite 1450	Dallas	TX	75231
Murray Law Firm	909 Poydras St., Suite 2550 LL&E Tower	New Orleans	LA	70112-4000
Neblett, Beard, & Arsenault	P.O. Box 1190 2220 Bonaventure Court	Alexandria	LA	71309-1190
Oldfather & Morris	1330 South Third Street	Louisville	KY	40208
Parson & Wallenstein, LLP	220 Old Country Rd.	Mineola	NY	11501
Pezzulli Harris Krona Skinner, LLP	17304 Preston Road, #700	Dallas	TX	75252
Piper & Associates	624 Pierre Ave P.O. Box 69	Shreveport	LA	71161
Provost & Umphrey	409 Park Street, P.O. Box 4905	Beaumont	TX	77704
Richardson Patrick Westbrook & Brickman	P.O. Box 879	Charleston	SC	29402
Riggs Abney Law Firm	502 W. 6th Street	Tulsa	OK	74119
Robinson & Cole L.L.P.	One Boston Place	Boston	MA	02108-4404
Robinson Calcagnie & Robinson	620 Newport Center Dr. 7th Floor	Newport Beach	CA	92660
Rodriguez & Richards, L.L.C.	The Penthouse 226 W Rittenhouse Square	Philadelphia	PA	19103
Rumrell, Costabel, Warrington Thomas & Brock, LLP	First Union Bank Bldg, 24 Cathedral Pl., Suite 504	St. Augustine	FL	32084
Seeger & Weiss L.L.P.	1 William St.	New York	NY	10004
Sherman Salkow Petoyan & Weber, P.C.	11601 Wilshire Blvd, Suite 675	Los Angeles	CA	90025-1742
Sommers Schwartz Silver Schwartz	2000 Town Center, Suite 900	Southfield	MI	48075
The Loupe Law Firm	2223 Quail Run Dr., Suite G	Baton Rouge	LA	70808
Ury & Moskow	883 Black Rock Turnpike	Fairfield	CT	06825
Von Briesen, Purtell & Roper	735 N Water St., Suite 1000	Milwaukee	WI	53202
Weitz & Luxemburg	180 Maiden Lane	New York	NY	10038-4925
Whatley Drake, L.L.C.	2323 Second Ave N	Birmingham	AL	35203
White & Meany LLP	3185 Lakeside Dr	Reno	NV	89509
Wilentz Goldman & Spitzer P.A.	90 Woodbridge Center Dr, Suite 900 Box 10	Woodbridge	NJ	07096
Williams, Daily, O'Leary, Craine, & Love, P.C.	1001 SW Fifth Ave, Suite 1900	Portland	OR	97204
Zimmerman Reed	651 Nicollet Mall Suite 501	Minneapolis	MN	55402

Exhibit 2

CONFIDENTIAL

TENDER OF PAYMENT
TO THE MDL 1407 FEE AND COST TRUST

FAX FORM TO: LORI WHITE, TRUSTEE
SECURED FACSIMILE:

SECTION I – CASE INFORMATION: (Must be completed in full by remitting counsel)

CASE NAME: _____
CIVIL ACTION NUMBER: _____
VENUE: <input type="checkbox"/> U.S.D.C. <input type="checkbox"/> State

SECTION II – SETTLEMENT INFORMATION: (Must be completed in full by remitting counsel)

A. IF LUMP SUM SETTLEMENT, please complete	B. IF INSTALLMENT SETTLEMENT, please complete
SETTLEMENT AMOUNT \$ _____	SETTLEMENT AMOUNT \$ _____ (Based in Present Value)
PERCENTAGE ALLOCATED <input type="checkbox"/> 3% (State) PER SETTLEMENT AGREEMENT <input type="checkbox"/> 4% (Federal) NO ASSESSMENT DUE <input type="checkbox"/> 0%	PERCENTAGE ALLOCATED <input type="checkbox"/> 3% (State) PER SETTLEMENT AGREEMENT <input type="checkbox"/> 4% (Federal) NO ASSESSMENT DUE <input type="checkbox"/> 0%
REMITTANCE AMOUNT \$ _____	REMITTANCE AMOUNT \$ _____

SECTION III – COUNSEL INFORMATION:

REMITTING (DEFENSE) COUNSEL—To be completed by Defense Counsel	OPPOSING (PLAINTIFF'S) COUNSEL OR CLAIMANT—To be completed by Plaintiff's Counsel or Claimant
NAME: _____	NAME: _____
FIRM: _____	FIRM: _____
ADDRESS: _____ _____	ADDRESS: _____ _____
PHONE NO.: _____	PHONE NO.: _____
FACSIMILE NO.: _____	FACSIMILE NO.: _____
REPRESENTING: _____	REPRESENTING: _____

CONFIDENTIAL

OPPOSING (PLAINTIFF'S) COUNSEL OR CLAIMANT	OPPOSING (PLAINTIFF'S) COUNSEL OR CLAIMANT
NAME: _____	NAME: _____
FIRM: _____	FIRM: _____
ADDRESS: _____ _____	ADDRESS: _____ _____
PHONE NO.: _____	PHONE NO.: _____
FACSIMILE NO.: _____	FACSIMILE NO.: _____
REPRESENTING: _____	REPRESENTING: _____

(Attach additional sheets if necessary)

SECTION IV – PAYMENT INSTRUCTIONS: (Part B to be completed by remitting counsel, if applicable)

A. IF BY CHECK, PLEASE NOTE CIVIL ACTION NUMBER ON YOUR CASHIER'S CHECK AND FORWARD THE REMITTANCE AMOUNT SPECIFIED IN SECTION II AS FOLLOWS:	B. IF BY WIRE TRANSFER, PLEASE COMPLETE THE FOLLOWING INFORMATION AND FORWARD THE REMITTANCE AMOUNT SPECIFIED IN SECTION II TO THE ACCOUNT NOTED BELOW:
MAKE CASHIER'S CHECK PAYABLE TO: "MDL 1407 FEE AND COST ACCOUNT" MAKE CHECK AND THIS FORM TO: MDL 1407 FEE AND COST TRUST ACCOUNT NO. 02-60309 ABA NO. 071000152 Northern Trust Bank 1414 Fourth Avenue SEATTLE, WA 98101	WIRE FROM: BANK NAME: _____ ADDRESS: _____ _____ ACCOUNT NO.: _____ ABA NO.: _____ WIRE TO MDL 1407 FEE AND COST TRUST ABA NO. 071000152 NORTHERN TRUST CHICAGO ACCOUNT 5186011000 For Further Credit to MDL 1407 TRUST Account No. 02-60309

SECTION V – SIGNATURES: (Remitting counsel is responsible for obtaining authorized signature for both counsel)

<p>A. FOR REMITTING (DEFENSE) COUNSEL'S USE ONLY</p>	<p>B. FOR LEAD OPPOSING COUNSEL'S/CLAIMANT'S USE ONLY</p>
<p>I hereby certify that the information provided above is true and correct to the best of my information, knowledge and belief.</p> <p>AUTHORIZED SIGNATURE: _____</p> <p>DATE: _____</p>	<p>I hereby certify that the information provided below is true and correct to the best of my information, knowledge and belief.</p> <p>AUTHORIZED SIGNATURE: _____</p> <p>DATE: _____</p>

*****CONFIDENTIAL*****
*****FOR TRUSTEE'S USE ONLY*****

<p align="center">AUTHORIZATION TO FORWARD REMITTANCE AMOUNT VIA WIRE TRANSFER</p>	<p align="center">CONFIRMATION OF RECEIVING REMITTANCE AMOUNT</p>
<p>TRUSTEE'S SIGNATURE: _____</p> <p>DATE OF AUTHORIZATION: _____</p> <p>AMOUNT TO BE FORWARDED: \$ _____</p>	<p>TRUSTEE'S SIGNATURE: _____</p> <p>DATE OF CONFIRMATION: _____</p> <p>AMOUNT RECEIVED: \$ _____</p>