

IN RE: PELVIC MESH/BARD LITIGATION

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – BERGEN COUNTY

FILED
NOV 06 2020
RACHEL L. HARZ
U.S.C.

MASTER CASE NO. BER-L-17717-14

CIVIL ACTION

BARD Litigation, Case No. 292

**[PROPOSED] ORDER APPROVING MAZIE SLATER BARD
QUALIFIED SETTLEMENT FUND**

Mazie Slater Katz & Freeman, LLC (“Mazie Slater”), as counsel for certain plaintiffs in these coordinated proceedings and other claimants, seeks entry of an Order to aid in the efficient processing and administration of a confidential Master Settlement Agreement (the “MSA”) between Mazie Slater and Defendant C. R. Bard, Inc. (“Bard”). Mazie Slater seeks an Order (1) establishing a qualified settlement fund, the Mazie Slater Bard Qualified Settlement Fund (“Settlement Fund” or “QSF”) pursuant to the terms of the MSA, (2) retaining continuing jurisdiction and supervision over the Settlement Fund, (3) determining that the Settlement Fund is 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”); and (4) appointing a Qualified Settlement Fund Administrator (“QSF Administrator”).

The Court, finding good and sufficient cause therefore, hereby **FINDS** and **ORDERS** as follows:

1. Approval of the Mazie Slater Bard Qualified Settlement Fund is
GRANTED;

2. The Mazie Slater Bard Qualified Settlement Fund shall be established as 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 Settlement Fund, in accordance with the terms of the MSA;

3. The Court appoints Epiq as the QSF Administrator of the Settlement Fund, which shall be held at JPMorgan Chase Bank (the "Bank");

4. In accordance with instructions provided by the QSF Administrator, the Bank shall hold the monies deposited into the Settlement Fund and the earnings thereon in an interest-bearing account at the Bank;

5. The funds held by the Bank in the Settlement Fund shall be released by the Bank for disbursement by the QSF Administrator only pursuant to and in conformance with the terms of the MSA and an Escrow Agreement among Mazie Slater, Bard, the Bank, and the QSF Administrator. No distributions shall be made from the Settlement Fund except pursuant to a joint written instruction signed on behalf of Mazie Slater, Bard, and the QSF Administrator, specifying the payment(s) and payee(s) consistent with the MSA; and

6. The Bank shall prepare and deliver account statements for the QSF on a monthly basis to Mazie Slater, Bard, and the QSF Administrator. The Bank shall provide the monthly statements as soon as available, but in no event later than ten (10) days following the end of the month to which those statements relate.

IT IS SO ORDERED this 6th day of November, 2020


HONORABLE RACHELLE L. HARZ, J.S.C.