

FILED

FEB 11 2020

RACHELLE L. HARZ
J.S.C.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - BERGEN COUNTY

IN RE PELVIC MESH/GYNECARE
LITIGATION,

MASTER DOCKET NO.
BER-L-11575-14

CIVIL ACTION
In re Pelvic Mesh/Gynecare
Litigation
Case No. 291

Order Approving Qualified Settlement Fund

Mazie Slater Katz & Freeman, LLC (“MSKF”), as counsel for certain plaintiffs in this proceeding, has moved the Court for entry of an Order to aid in the efficient processing and administration of a Confidential Settlement Agreement (the “Settlement Agreement”) between Defendant Ethicon, Inc. and certain related companies (“Ethicon”) and MSKF to resolve the claims of certain claimants against Ethicon relating to the implant of Ethicon Pelvic Mesh Products (as defined in the Settlement Agreement). The Court, finding good and sufficient cause, FINDS and ORDERS the following:

1. In order to assist in the administration of the settlement of claims brought by the clients of MSKF, the MSKF-ETHICON Qualified Settlement Fund 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

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between Ethicon and Plaintiffs in state or federal litigation or Claimants who are represented by MSKF pursuant to the Master Settlement Agreement dated June 19, 2019, shall be paid into the MSKF-ETHICON Qualified Settlement Fund, with the exception of such cases as may have been identified by the parties for early payment due to exigent circumstances.

2. Garretson Resolution Group is appointed as Fund Administrator and shall serve pursuant to the terms, conditions and restrictions of the Master Settlement Agreement, and the Escrow Agreement. MSKF and said Fund Administrator are given the authority to conduct any and all activities necessary to administer this Fund.
3. The MSKF-ETHICON Qualified Settlement Fund, which includes all principal and interest earned thereon, shall be deposited in an account held in custody at J.P. Morgan Chase Bank, N.A. (“JPM Chase”), and JPM Chase shall serve as the Escrow Agent pursuant to the terms of the Parties’ Escrow Agreement with JPM Chase. Investment related decisions shall be made pursuant to the terms and conditions set forth in the parties Master Settlement Agreement and Escrow Agreement, and disbursements from the MSKF-ETHICON Qualified Settlement Fund shall be made pursuant to the terms of the Master Settlement Agreement and Escrow Agreement, which include provisions for payments into the MDL No. 2327 Fund.

4. 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.
5. The Fund Administrator is authorized, upon final distribution of all monies paid into the Fund, to take appropriate steps to wind down the fund, and thereafter the Fund Administrator is discharged from any further responsibility with respect to the Fund.

SO ORDERED:

Date: February 11, 2020



Judge:

51573533.v1

RACHELLE L. HARZ, J.S.C.