

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF INDIANA
 SOUTH BEND DIVISION

IN RE: BIOMET M2a MAGNUM HIP)	CASE NO. 3:12-md-2391-RLM-CAN
IMPLANT PRODUCTS LIABILITY)	
LITIGATION (MDL 2391))	
)	
)	
This Document Relates to All Cases)	

ORDER

Upon consideration of PSC II’s Motion for Payment of Common Benefit Attorneys’ Fees and Expenses from the Biomet Common Benefit MDL Assessment Fund and without objection, the court GRANTS the motion [Doc. No. 3897] and VACATES the July 12, 2021 hearing.

It is hereby ORDERED that \$415,000.00 shall be reimbursed to the 7 PSC II firms who paid a common benefit assessment to fund this litigation. The reimbursement of the common benefit assessments is to be paid by the escrow agent, Ramon Palmer, CPA of Epiq, from the Biomet Hip Common Benefit Cost Fund within 10 days of the entry of this order, as follows:

Cost Submission By:	Total Assessment
<i>Bachus & Schanker</i>	\$40,000.00
<i>Beasley Allen</i>	\$80,000.00
<i>Fisher Boyd</i>	\$75,000.00
<i>Jones Ward</i>	\$20,000.00
<i>Justinian & Associates</i>	\$40,000.00
<i>Searcy Denney Scarola Barnhart & Shipley</i>	\$80,000.00
<i>The Gomez Firm</i>	\$80,000.00
Total:	\$415,000.00

It is FURTHER ORDERED that the holdback of \$25,000.00 shall be reimbursed to the PSC I firms who advanced these funds to PSC II. The common benefit assessment reimbursement of \$1,250.00 shall be paid to each of the following 20 PSC I firms by the Escrow Agent, Ramon

Palmer, CPA of Epiq, from the Biomet Hip Common Benefit Cost Fund within 10 days of the entry of this order, as follows:

Repayment of Loan to PSC I – Payees:	Total Assessment
<i>Anapol Schwartz</i>	\$1,250.00
<i>Andrews & Thornton</i>	\$1,250.00
<i>Aylstock, Witkin, Kreis</i>	\$1,250.00
<i>Babbitt Johnson</i>	\$1,250.00
<i>Beasley Allen</i>	\$1,250.00
<i>Clark Love</i>	\$1,250.00
<i>Climaco, Wilcox, Peca, & Tarantino</i>	\$1,250.00
<i>Fisher Boyd</i>	\$1,250.00
<i>Hovde Dassow and Deets, LLC</i>	\$1,250.00
<i>Jones Ward</i>	\$1,250.00
<i>Lanier Law Firm</i>	\$1,250.00
<i>Miller Firm</i>	\$1,250.00
<i>Neblett, Beard & Arsenault</i>	\$1,250.00
<i>Parker Waichman</i>	\$1,250.00
<i>Pope McGlamry</i>	\$1,250.00
<i>Saunders & Walker</i>	\$1,250.00
<i>Weitz & Luxenberg</i>	\$1,250.00
<i>Zimmerman Reed</i>	\$1,250.00
<i>Zoll, Kranz & Borgess</i>	\$1,250.00
<i>Meyers & Flowers</i>	\$1,250.00
Total:	\$25,000.00

It is FURTHER ORDERED that the Court approves the \$350,070.63 common benefit held costs/expenses reimbursement request submitted by the PSC II firms, as being consistent with the Case Management Order Regarding Management of Timekeeping, Cost Reimbursement and Related Common Benefit Issues [Doc. No. 669; filed July 18, 2013]. Additionally, there will be a \$144,757.37 holdback of Beasley Allen’s held costs, that will be paid in the future upon receipt of additional 6% holdback funds into the common benefit escrow account and the resolution of the ongoing litigation cost reimbursement dispute in the *Hayden* matter, by the *Hayden* Court. The remaining \$205,313.26 in common benefit held costs is to be paid by the Escrow Agent, Ramon

Palmer, CPA from Epiq, from the Biomet Hip Common Benefit Cost Fund within 10 days of the entry of this order, as follows:

Cost Submission By:	Held Costs
<i>Beasley Allen</i>	\$60,555.89
<i>Fisher Boyd</i>	\$17,867.90
<i>Jones Ward</i>	\$4,234.82
<i>Saunders & Walker</i>	\$2,689.48
<i>Searcy Denney Scarola Barnhart & Shipley</i>	\$106,069.96
<i>Simmons Hanley Conroy</i>	\$8,126.83
<i>The Gomez Firm</i>	\$5,768.38
Total:	\$205,313.26

It is FURTHER ORDERED that the Court approves the \$2,443,215.00 common benefit attorneys' fee as fair and just compensation for the common benefit work completed through the first quarter of 2021 from 360 cases that have resolved in connection to this this MDL. The Court authorizes the payment of common benefit attorneys' fees to be paid by the Escrow Agent, Ramon Palmer, CPA from Epiq, from the Biomet Hip Common Benefit Cost Fund within 10 days of the entry of this order, as follows:

Payee:	Initial Fee Disbursement
<i>Aylstock Witkin</i>	\$31,380.00
<i>Bachus & Schanker</i>	\$7,200.00
<i>Beasley Allen</i>	\$653,915.88
<i>Fisher Boyd</i>	\$0.00
<i>Garretson/Epiq</i>	\$0.00
<i>Jones Ward</i>	\$190,542.62
<i>Simmons Hanly Conroy</i>	\$31,200.00
<i>Justinian & Associates</i>	\$52,620.00
<i>PSC #1</i>	\$0.00
<i>Saunders & Walker</i>	\$27,870.00
<i>Searcy Denney</i>	\$642,245.87
<i>The Gomez Firm</i>	\$49,800.00
<i>Justin Presnal</i>	\$109,973.60
Total:	\$1,796,747.97

