

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: AVANDIA MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION	:	MDL No. 1871 07-md-01871
THIS DOCUMENT APPLIES TO: ALL ACTIONS	:	

PRETRIAL ORDER 154

AND NOW, this 16th day of February 2012, following the settlement of substantial inventories of Plaintiffs' cases/claims, and in consideration of the MDL's remaining priorities, the Court will establish the following structure to support remaining MDL litigation.

The Plaintiffs' Steering Committee, as presently constituted, will not be renewed. The PSC will no longer be responsible for responding to motions or orders on behalf of all Plaintiffs; each attorney with unsettled cases will be responsible for responding on behalf of his or her own clients.

The Court appoints Paul R. Kiesel, Esq. to serve as Plaintiffs' Coordinating Counsel. Until further order of the Court, Plaintiffs' Coordinating Counsel shall be responsible for the maintenance of all documents produced by defendants or third parties in response to non-case specific discovery requests and/or subpoenas, all transcripts of deposition testimony given by witnesses on topics of general applicability, all transcripts reflecting proceedings conducted before the Court, all correspondence and pleadings, any other relevant documents, and the trial package created by the Plaintiffs' Steering Committee. The Plaintiffs' Coordinating Counsel will ensure that Plaintiffs' counsel who have not settled their inventories and who are continuing to

litigate claims on behalf of their clients have access to the documents, expert reports, trial materials, and other resources previously obtained or developed that are needed to litigate their cases. The Plaintiffs' Coordinating Counsel is authorized to pay the storage provider for storage of the documents discussed above, and to settle other outstanding financial obligations of the former PSC, from the Common Benefit Fund.

Thomas Mellon, Esq. and Stephen Corr, Esq. shall remain as Plaintiffs' Liaison Counsel.

Tracy Rezvani, Esq. will be the Class Action Coordinator.

Dianne M. Nast, Esq. will continue to serve as the Court's Federal-State Liaison Counsel.

The Court hereby establishes a Fee and Cost Allocation Committee, which will develop a plan for allocation and payment of interim and final awards of counsel fees and costs among entitled petitioners. The Court appoints as members of this Committee: Vance R. Andrus, Esq., Bryan E. Aylstock, Esq., Thomas P. Cartmell, Esq., Stephen Corr, Esq., Paul R. Kiesel, Esq., Dianne M. Nast, Esq., Bill Robins, III, Esq., and Joseph J. Zonies, Esq. The Court appoints Dianne Nast, Esq. as the Fee and Cost Allocation Committee's Chairperson. By March 31, 2012, the Fee and Cost Allocation Committee shall file a proposed allocation and payment plan. Any objections to said plan shall be filed within 21 days of service.

To the extent that prior case management orders are inconsistent with the provisions of this Order, those prior orders are **VACATED**.

It is so **ORDERED**.

BY THE COURT:


CYNTHIA M. RUFÉ, J.