

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-CMR

**FILED**

OCT 7 2011

MICHAEL J. ROHIZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

THIS DOCUMENT APPLIES TO:  
ALL ACTIONS

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**ORDER PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 53 GOVERNING  
THE APPOINTMENT OF SPECIAL MASTER, PATRICK A. JUNEAU**

The foregoing Joint Motion for the Appointment of a Special Master be considered and after giving notice to the parties that the Court would appoint a Special Master; after receiving a suggestion from the parties to appoint Patrick A. Juneau as Special Master; and after receiving an affidavit from Patrick A. Juneau swearing that there is no ground for disqualification under 25 U.S.C. § 455;

IT IS ORDERED BY THE COURT, pursuant to Federal Rule of Civil Procedure 53, that said Motion be and is hereby granted appointing as Special Master, Patrick A. Juneau (the "Special Master"). The Special Master shall proceed with all reasonable diligence and shall exercise his rights and responsibilities as follows:

- 1) The Special Master shall administer, coordinate and preside over settlement negotiations.
- 2) The Special Master shall be compensated, in the amount of:
  - a) \$400/hour for Mr. Juneau's services, plus actual expenses;


- b) \$200/hour for attorneys who assist Mr. Juneau; and
- c) \$75/hour for paralegals who assist Mr. Juneau.

(Fifty percent of the invoices will be paid by the PSC and the other fifty percent of the invoices will be paid by GlaxoSmithKline).

- 3) The Special Master shall submit to the Court, with a copy to the PSC and GlaxoSmithKline, periodic reports with respect to the settlement status. The Court shall determine the frequency of such submissions.
- 4) That the Special Master may communicate ex parte with the Court as the Special Master's discretion without providing notice to the parties.
- 5) The Special Master may initiate contact and communicate with the PSC and defense counsel as he deems appropriate, with respect to the efficient administration and management of the settlement process.
- 6) The Special Master shall not have the authority to:
  - a) Conduct any pre-trial or trial proceedings, except for conferences as the Special Master deems necessary for purposes of administering and managing the settlement process;
  - b) Sanction any party; and
  - c) Conduct evidentiary hearings.

7) The Special Master shall be bound by confidentiality of the settlement discussions.

Philadelphia, Pennsylvania, this 8<sup>th</sup> day of October, 2011.

  
CYNTHIA M. RUFÉ  
UNITED STATES DISTRICT JUDGE