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 NO. 102

AND NOW, this 21st day of June, 2010, upon consideration of the application for fees and costs incurred by paralegal Michelle Newman for the Special Discovery Master, as set forth in a letter dated June 10, 2010 (attached), which was submitted both to the Court and Liaison Counsel pursuant to Pretrial Order No. 8, and finding that the work, fees and costs reflected thereon are "reasonably necessary" for the fulfillment of the Special Discovery Master's duties, and without objection from counsel, it is hereby **ORDERED** that the application for fees and costs are **APPROVED** in full. Accordingly, the parties are responsible for payment of an equal half share of the same.

It is so **ORDERED**.

BY THE COURT:
/s/ Cynthia M. Rufe

CVAUDILLA M. DUDE I

CYNTHIA M. RUFE, J.



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June 10, 2010

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RE: Avandia

Dear Counsel:

Michelle's time for May is quite small, because many of the issues between the parties have been resolved without meetings and some of the parties have spent a good bit of time in settlement negotiations in which the Special Master and his assistants have essentially not been involved. I am enclosing her May statement which amounts to \$240 for each party.

As settlements continues in the next few months, there will be the need to deal with the voluminous files which Michelle has organized Special Master and which substantially relieved the time spent by the Special Master.

I have suggested that each side allocate \$2,500 to Michelle to cover all future time by Michelle including June time and what is needed for disposal, retention or other handling of the volume of various documents submitted to the Special Master. As you know, Michelle's billing rate has been less than one-third of the customary billing rate for a mid-level paralegal. Michelle's low rate has helped keep the cost of the MDL low. Moreover, Michelle has applied a sharp pencil listing her time conservatively.

I have discussed the \$2,500 per party allocation with Nina Gussack, Vance Andrus and Bryan Aylstock, who agree that it is appropriate.

Accordingly, I am adding that amount to the enclosed statement for May.

Sincerely,

Jerome Shestack

cc: The Honorable Judge Cynthia Rufe