

Superior Court of New Jersey
Law Division: Bergen County
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FILED

APR 09 2018

BONNIE J. MIZDOL, A.J.S.C.

IN RE:	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: BERGEN COUNTY
	:	
MIRENA IUD PRODUCTS LIABILITY LITIGATION	:	CASE NO. 297
	:	<i>Master Docket No. BER-L-4098-13 MKL</i>
	:	
<i>This Document Relates to All Actions</i>	:	CIVIL ACTION
	:	
	:	ORDER OF BONNIE J. MIZDOL, A.J.S.C.
	:	ORDER APPOINTING JUDGE MARINA
	:	CORODEMUS (Ret.) AS SPECIAL MASTER

THIS MATTER, having been opened on the Court's own motion pursuant to R. 4:41-1 and it is appearing that this is a complex matter with many issues justifying the need for extraordinary measures to expedite this matter.

IT IS ON THIS 9th DAY OF ^{April}~~MARCH~~ 2018

ORDERED that:

The Hon. Marina Corodemus (Ret.), be appointed to serve as Special Master at the request and consent of the Plaintiffs, without objection from Defendants, for the pendency of the settlement proceedings in this case. These services will be compensated by Plaintiffs at the rate of \$600.00 per hour, except as otherwise agreed to by the parties.

The Special Master shall have the following authority:

1. To review and render to the trial court a recommendation regarding the calculation, allocation, division, and distribution of settlement payments among the plaintiffs pursuant to the terms of the Settlement Agreement so as to provide for fair and

reasonable compensation for each plaintiff based upon the facts and circumstances of this litigation, including the risk to all parties of litigation, evidence of plaintiffs' injuries and damages, the cost, the time delay, the medical evidence, the science, the compensation circumstances, and the inherent risk of litigation generally;

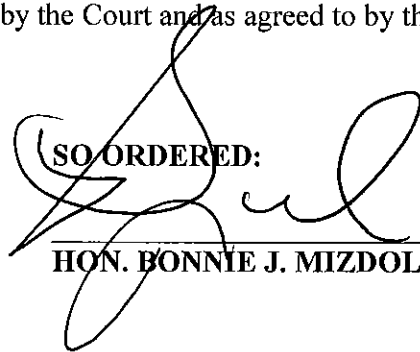
2. To review, assess and issue a decision regarding the final allocation of the Common Benefit expenses that have been submitted by Plaintiffs' Counsel. In the event of any disputes with the expense allocation from the common benefit fund, the Special Master will serve as the arbitrator in binding arbitration for any plaintiff's attorney who agrees in writing with Plaintiffs' Counsel to submit any disputes, or other third parties, regarding the final allocation of expenses in the common benefit fund. Any party may apply to the Special Master in writing regarding any disagreement as to the division of expenses. All attorneys will promptly cooperate and submit any proof of records and expenses as requested by the Special Master to substantiate the final decision. The decision of the Special Master will be final and not appealable to this or any court;
3. If there are any settlement funds available after allocation of funds among plaintiffs according to the injury categories set forth in the Settlement Agreement grid, then an Extraordinary Injury Fund (EIF) will be established. If an EIF is established, then the Special Master will review all proposed EIF categories and terms for reasonableness and fairness and will allocate any and all EIF awards. The decision of the Special Master about any EIF award will be final and not appealable to this or any court; and

4. The Special Master will handle any and all appeals from individual plaintiffs who appeal either their placement in the grid or the amount allocated by the Special Master. The cost of such appeals will be borne by each individual plaintiff who appeals. The decision of the Special Master will be final and not appealable to this or any other court.

MIRENA DEFENDANTS do not oppose Plaintiffs' Counsel's request.

The Court, pursuant to its inherent authority, and having considered the requests, and cognizant of the important public policy of encouraging settlement among litigating parties, hereby issues the following Order.

Judge Marina Corodemus (ret.) is hereby appointed Special Master acting within the authority and duties set forth by the Court and as agreed to by the parties herein.

SO ORDERED:

HON. BONNIE J. MIZDOL A.J.S.C