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FILED

AUG 23 2010

BRIAN R. MARTINOTTI
J.S.C.

IN RE: ALLEGED MAHWAH TOXIC DUMP
SITE LITIGATION

SUPERIOR COURT OF NEW
JERSEY

LAW DIVISION:
BERGEN COUNTY

CIVIL ACTION

CASE NO. 277 MT

MASTER DOCKET NO. L489-08

MARTINOTTI, J.

"Applicable To All Cases"

~~PROPOSED~~ ORDER

THIS MATTER having been opened to the Court by Sullivan Papain Block McGrath & Cannavo by Frank V. Floriani, Esq., attorneys for plaintiffs in the “Alleged Mahwah Toxic Dump Site Litigation,” and by 626 current and former residents of a community known as Upper Ringwood, New Jersey, and, it being reported to the Court that a settlement of the plaintiffs’ claims have been effected between the parties and, and having heard arguments by Sullivan Papain Block McGrath & Cannavo and The Cochran Firm (“Plaintiffs’ Counsel”) concerning contingent attorneys’ fees in this matter and, the Court having read the Certification of Frank V. Floriani, Esq. in Support of Application for Modification of Fee, dated July 19, 2010, it is:

ORDERED that disbursements be charged and deducted from each award category (A, B, C, D, E, F, G, H, I, J, K), as determined by the special master, as follows:

*For the reasons set forth in
the
record*

- A. \$1,861.30
- B. \$2,393.10
- C. \$2,659.00
- D. \$2,924.90
- E. \$3,988.50
- F. \$6,647.49
- G. \$9,306.49
- H. \$14,624.49
- I. \$11,965.49
- J. \$17,283.48
- K. \$16,523.77

and it is;

GRANTED

FURTHER ORDERED that net recoveries, by award category, following deduction of disbursements but before deduction of attorneys' fees, are as follows:

- A. \$5,138.70
- B. \$6,606.90
- C. \$7,341.00
- D. \$8,075.10
- E. \$11,011.50
- F. \$18,352.51
- G. \$25,693.51
- H. \$40,375.51
- I. \$33,034.51
- J. \$47,716.52

David W. Brown

K. \$45,619.10

and it is;

FURTHER ORDERED that, with the exception of infant claimants in category A, attorneys' fees for all claimants in categories A, B, C and D are fixed at 15%; and it is

FURTHER ORDERED that attorneys' fees for claimants in categories E, F, G, H, I, J and K are fixed at 30%; and it is

FURTHER ORDERED that attorneys' fees for infant claimants in category A are fixed at 12%; and it is

FURTHER ORDERED that attorneys' fees be also adjusted and charged for the following claimants who opted into the settlement during the pendency of Plaintiffs' Counsel's motions to be relieved:

- 1) Garrett H. Milligan (15) Ber-L-9188-07
- 2) Herbert Milligan, Sr. (15) Ber-L-9188-07
- 3) Gloria Butler (18) Ber-L-9212-07
- 4) Jo'ee Van Dunk by Evelyn Van Dunk (24) BER-L-9192-07
- 5) Peggy Torres (3) Ber-L-9218-07
- 6) Kyle Van Dunk (8) Ber-L-9177-07
- 7) Nicholas T. Degroat (42) BER-L-9194-07
- 8) Kelly DeGroat (42) BER-L-9194-07
- 9) Timothy C. Van Dunk (8) Ber-L-9177-07
- 10) Darrian Van Dunk by Mandy Van Dunk (10) Ber-L-9222-07
- 11) Ashley Dunkerly (3) Ber-L-9171-07
- 12) Reese Van Dunk (19) by William Van Dunk Ber-L-9214-07

13) Jasmine C. Mann (39) BER-L-9172-07

14) Shanae Van Dunk (14) Ber-L-9190-07;

Dated: August 23, 2010

ENTER.

J.S.C.
BRIAN P. MARTINOTTI, J.S.C.

Ordered:

Counsel shall meet and confer with
Court for Trial, to discuss the conclusion of
the present amount and shall report to
the court by Today 8/27/2010.

