

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: ATLANTIC COUNTY  
MASTER DOCKET NO. ATL-L-173-20

MCL CASE NO. 633

Civil Action

**CASE MANAGEMENT ORDER NO. 23  
[ESTABLISHING THE FUND ACCOUNTS  
AND APPOINTING AN ESCROW AGENT]**

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IN RE PROLENE HERNIA SYSTEM MESH  
LITIGATION

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On March 3, 2021, the Court entered Case Management Order No. 16, which relates to the common benefit fund that would be established from assessments against cases tried and judgments satisfied or cases settled to pay common benefit fees earned and reimburse common benefit expenses incurred by the Plaintiffs' Steering Committee ("PSC") in this litigation. One provision therein, III.A., requires a subsequent order appointing an escrow agent and bank to assist with procedures required by the other provisions of the order. *Id.* at § III.A.

The Court finds the prudent course of action is to carry out the requirements of CMO No. 16 so that when funds are available, the necessary prerequisites are in place.

IT IS on this 1<sup>st</sup> day of February, 2023,

**ORDERED** that:

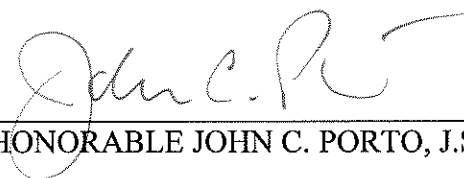
**I. Establishing the Fee and Expense Funds**

The Plaintiffs' Executive Committee ("PEC") is directed to establish two qualified settlement fund accounts at Deutsche Bank to receive and disburse funds as provided in Case Management Order No. 16 ("The MCL CB Fund Accounts"). The first fund shall be designated the "MCL No. 633 Fee Fund" and the second fund shall be designated the "MCL No. 633 Expense Fund." These funds will be held subject to the direction of this Court.

**II. Appointing an Escrow Agent**

This Court appoints Archer Systems, LLC (“Archer”) to serve as Escrow Agent over The MCL CB Fund Accounts and to keep detailed records of all deposits and withdrawals. Archer shall submit quarterly account statements to the Court and to the PEC.

Upon approval by the Court, Archer’s bills shall be paid from the MCL No. 633 Expense Fund and shall be considered a shared cost. The PSC shall provide a copy of this Order to Archer.

A handwritten signature in cursive script, appearing to read "John C. Porto", is written above a horizontal line.

HONORABLE JOHN C. PORTO, J.S.C.