

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

**IN RE: AMERICAN MEDICAL SYSTEMS, INC.
PELVIC REPAIR SYSTEM PRODUCTS LIABILITY
LITIGATION**

MDL NO. 2325

THIS DOCUMENT RELATES TO ALL CASES

**PRETRIAL ORDER # 272
(ORDER APPOINTING MATTHEW L. GARRETSON AS SETTLEMENT MASTER
FOR SETTLEMENT AGREEMENT BETWEEN AMERICAN MEDICAL SYSTEMS,
INC. AND CERTAIN PLAINTIFFS' COUNSEL)**

Napoli Shkolnik PLLC, (collectively, "Plaintiffs' Counsel") has entered into a separate Confidential Master Settlement Agreement (the "Settlement Agreement") with Astora Women's Health, LLC (as successor in interest to American Medical Systems, Inc.'s women's health business, Astora Holdings, LLC, Astora Women's Health Holdings, LLC, and Astora Women's Health Holdings, Inc.) ("Astora") to resolve the claims related to the implantation of AMS Pelvic Repair System Products (as defined in the Settlement Agreement). Under the provisions of the Settlement Agreement, Plaintiffs' Counsel has agreed to seek the approval of this Court to appoint a Settlement Master to perform certain defined functions related to the administration and implementation of the Settlement Agreement. Plaintiffs' Counsel believes that Matthew L. Garretson is well-qualified to perform these, and other functions discussed in the Unopposed Motion to Appoint Settlement Master [ECF No. 7070].

Defendant does not oppose Plaintiffs' Counsel's request. The Court, pursuant to its inherent authority, and having considered the request, and cognizant of the important public policy of encouraging settlement among litigating parties, hereby issues the following Order.

IT IS ORDERED THAT:

1. The Unopposed Motion to Appoint Settlement Master (ECF No. 7070) is **GRANTED**.

2. Matthew L. Garretson is hereby appointed as the Settlement Master for the administration of the settlement reached between Plaintiffs' Counsel and Astora, related to the implantation of AMS Pelvic Repair System Products (as defined in the Settlement Agreement).
3. The duties of the Settlement Master shall be as set forth in the Settlement Agreement.
4. In furtherance of the fair and efficient administration and implantation of the settlements, the Settlement Master may have *ex parte* communications with the parties to the Settlement Agreement, Plaintiffs' Counsel and their clients, Defendant and its counsel, or the Court, and such *ex parte* communications shall not be deemed to have waived any attorney-client privileges.
5. The Settlement Master shall be compensated as specified in the Settlement Agreement.

The Court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-02325. The orders may be accessed through the CM/ECF system or the court's website at www.wvsc.uscourts.gov.

ENTER: January 22, 2019



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE