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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**

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9 IN RE: Bard IVC Filters Products
10 Liability Litigation,

No. MDL 15-02641-PHX-DGC

CASE MANAGEMENT ORDER NO. 44

(Common Benefit Fund Accounts)

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13 Pursuant to Case Management Order No. 6 (Doc. 372), the Plaintiffs Steering
14 Committee (“PSC”) moves to establish common benefit fee and expense fund accounts
15 and appoint Citibank N.A., rather than a certified public account, as escrow agent.
16 Doc. 16932 at 2-3. No objection has been raised by Defendants or counsel for individual
17 plaintiffs. *See* Docs. 17367, 17387, 17404, 17637. The Court will grant the motion.¹

18 **IT IS ORDERED:**

19 1. The PSC’s motion to establish common benefit fee and expense fund
20 accounts (Doc. 16932 at 2-3) is **granted** as set forth in this order.

21 2. The PSC shall establish two interest-bearing accounts to receive and disburse
22 common benefit funds: the “Bard IVC Filters Fee Fund” and the “Bard IVC Filters
23 Expense Fund.” *See* Doc. 372 at 9.

24 3. Citibank N.A. is appointed as escrow agent over the common benefit funds.
25 *See id.*; Doc. 17749-1 (Escrow Agreement). The escrow agent fees set forth in Schedule B
26 to the Escrow Agreement (Doc. 17749-1 at 16) are approved. Case Management Order

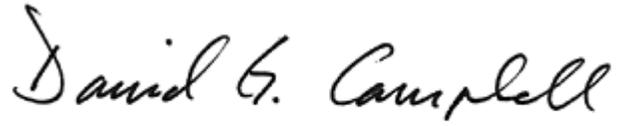
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28 ¹ The Court will address the PSC’s request to increase the common benefit assessment percentage (Doc. 16932 at 3-6) in a separate order after a hearing.

1 No. 6 is amended as follows: references to “the CPA” in Section IV(A) are replaced by
2 the term “Escrow Agent.” *See* Doc. 372 at 9.

3 4. Plaintiffs’ Co-Lead Counsel is responsible for arranging for the preparation
4 of tax filings related to each common benefit fund account.

5 Dated this 16th day of May, 2019.

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David G. Campbell
Senior United States District Judge