

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE: DEPUY ORTHOPAEDICS, INC.
PINNACLE HIP IMPLANT PRODUCT
LIABILITY LITIGATION

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MDL Docket No. 3:11-MD-2244

Honorable Ed Kinkeade

This Document Relates To:
ALL CASES

**ORDER REGARDING THE PINNACLE HIP IMPLANT
COMMON BENEFIT TRUST ACCOUNT**

Before the Court is the Parties' Joint Motion for Entry of Order Regarding the Pinnacle Hip Implant Common Benefit Trust Account. Having considered the Motion, the Court GRANTS the Motion and hereby enters this Order regarding the deposit of certain funds into and the payment of certain funds out of the Pinnacle Hip Implant Common Benefit Trust Account (the "Fund") established by this Court's Order dated July 22, 2019 (Dkt. No. 1032). In particular, the Court orders as follows:

1) All funds which have already been deposited into the registry of this Court pursuant to this Court's Preliminary Holdback Order, dated August 29, 2018 (Dkt. No. 889), Amended Preliminary Holdback Order, dated December 9, 2018 (Dkt. No. 924) or Order Granting Motion for Final Assessment, dated July 22, 2019 (Dkt. No. 1031), shall be transferred by the clerk's office to the Fund;

2) The Order Granting Motion for Final Assessment, dated July 22, 2019 (Dkt. No. 1031) is hereby modified so that all funds that currently are required to be

deposited into the registry of the Court pursuant to that Order instead shall be deposited into the Fund;

3) With respect to any payments transferred to the Fund from the registry of the Court pursuant to this Order that were paid pursuant to the 25% holdback requirement specified in the Amended Preliminary Holdback Order, dated December 9, 2018 (Dkt. No. 924), ARCHER Systems, LLC, the Fund Administrator, is authorized to refund to the appropriate party the portion of any such payments that exceeds the 10% assessment set forth in the Order Granting Motion for Final Assessment, dated July 22, 2019 (Dkt. No. 1031). Defendants shall submit to the Fund Administrator and to the Special Master under seal a list of the refunds that are authorized by this paragraph, which list shall remain confidential and is not to be shared with plaintiffs' counsel, including the PEC.

SO ORDERED.

Signed this 13th day of August, 2019.



ED KINKEADE
UNITED STATES DISTRICT JUDGE