

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

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In re: BRIDGESTONE/FIRESTONE, INC., )  
ATX, ATX II, and WILDERNESS TIRES ) Master File No. IPO-9373-C-B/S  
PRODUCTS LIABILITY LITIGATION ) MDL No. 1373  
\_\_\_\_\_) (centralized before Hon. Sarah Evans  
) Barker, Judge)  
THIS DOCUMENT RELATES TO ALL )  
ACTIONS )  
)  
)

**ORDER ESTABLISHING TRUST FUND  
FOR LITIGATION EXPENSES**

Now before the Court is the Plaintiffs’ Executive Committee Application for Order Establishing a Litigation Expense Trust Fund for Plaintiffs in the Personal Injury/Wrongful Death Cases. The Court, having considered the application of the Plaintiffs’ Executive Committee (“PEC”) as well as the representations of Mr. Diaz at the attorney conference held January 30, 2001, ORDERS as follows:

1. Each named plaintiff or his or her counsel, in every personal injury or wrongful death (“PI/WD”) case filed in or transferred to this Court as part of MDL No. 1373 shall, within twenty (20) days of this Order (or, as to cases not yet before this Court, within twenty (20) days of the filing, removal, or transfer to this Court) pay to the PEC One Thousand Dollars

(\$1,000.00) per plaintiff's decedent or plaintiff claiming bodily injury ("Contributing Plaintiff").

2. This contribution shall be deposited into a PI/WD Special Expense Account as an initial share of litigation expenses allocated by the PEC to the PI/WD cases ("Litigation Expenses"). Contributing Plaintiffs are also subject to subsequent assessments by the PEC upon notice to all plaintiffs' attorneys and approval by the Court, and are subject to a final accounting on expenses disbursed during the litigation, as the Court shall direct.

3. The PEC shall pay reasonable Litigation Expenses subject to final accounting and approval by the Court. All reasonable Litigation Expenses approved by the Court will be shared equally by each Contributing Plaintiff in each case as of the date of conclusion of his or her case, unless otherwise ordered by the Court. If, on the date a case is concluded, the Litigation Expenses allocable to that case exceed contributions made, the excess shall promptly be remitted by the plaintiff or his or her counsel to the PEC.

4. The PEC shall direct all contributions to the PI/WD Special Expense Account to interest-bearing, insured money market bank accounts. The PI/WD Special Expense Account shall be administered by Ralph G. Patino, Esq. of Patino & Associates, P.A., in his capacity as Co-Chair of Plaintiffs' Budget/Record/Compensation Committee, under the auspices and supervision of the PEC.

It is so ORDERED this \_\_\_\_\_ day of February, 2001.

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SARAH EVANS BARKER, JUDGE  
United States District Court  
Southern District of Indiana

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