

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

IN RE: COOK MEDICAL, INC, IVC FILTERS
MARKETING, SALES PRACTICES AND
PRODUCTS LIABILITY LITIGATION

MDL NO. 2570
Case No. 1:14-ml-2570-RLY-TAB

This Document Relates to All Actions

**CASE MANAGEMENT ORDER #16
REGARDING ESTABLISHMENT OF FUNDS AND
APPOINTMENT OF CERTIFIED PUBLIC ACCOUNTANT AS ESCROW
AGENT FOR THOSE FUNDS**

I. SCOPE OF ORDER.

This Order is entered to provide for establishment of two interest-bearing accounts to receive and disburse funds (“the Funds”) for the purpose of depositing and disbursing common-benefit funds and appointment of a certified public accountant as escrow agent for those funds.

II. ESTABLISHMENT OF FUNDS.

The first fund to be designated the “Cook IVC Filters Fee Fund” and the second fund to be designated the “Cook IVC Filters Expense Fund.”

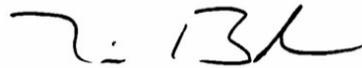
III. APPOINTMENT OF CERTIFIED PUBLIC ACCOUNTANT AS ESCROW AGENT.

At recommendation of Plaintiffs’ Liaison Counsel and Co-Lead Counsel, the Court appoints BGBC, LLP, a firm of qualified certified public accountant (“the CPA”)

to serve as escrow agent over the Funds. The CPA is to keep detailed records of all deposits and withdrawals, pay invoices and expenses as approved by Co-Lead Counsel, prepare tax returns and other tax filings in connection with the funds, and to make such periodic and discreet reports to the Court as requested and to the Co-Lead Counsel and Liaison Counsel. The CPA shall charge an hourly rate of not more than \$200 per hour for Partner; \$150 per hour for Senior Manager; and \$125 per hour for Manager.

The CPA shall submit quarterly detailed bills to the Court, under seal, and to Plaintiffs' Co-Lead Counsel. Upon approval by the Court, the CPA's bills shall be paid from the Cook IVC Filters Expense Fund and shall be considered a shared cost. The Plaintiffs' Liaison Counsel shall provide a copy of this Order and later orders to the CPA.

Dated: 5/24/2016



Tim A. Baker
United States Magistrate Judge
Southern District of Indiana

Service will be made electronically on all ECF-registered counsel of record via the Court's ECF system. Service on all non-registered counsel of record shall be made by Plaintiffs' Lead Counsel.