

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: DAVOL, INC./C.R. BARD,  
INC., POLYPROPYLENE HERNIA  
MESH PRODUCTS LIABILITY  
LITIGATION

Case No. 2:18-md-2846

JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Kimberly A. Jolson

This document relates to:  
ALL ACTIONS.

<sup>EAS</sup>  
~~[PROPOSED]~~ CASE MANAGEMENT ORDER NO. 31  
(Establishing the Fund Accounts and Appointing an Escrow Agent)

On December 11, 2018, the Court entered Case Management Order No. 11, which relates to the common benefit fund that would be established from fees earned by the Plaintiffs' Steering Committee ("PSC") that resulted from cases tried and judgments satisfied or cases settled [ECF No. 70]. One provision therein, III.A., requires a subsequent order appointing an escrow agent and bank to assist with procedures required by the other provisions of the order. *Id.* at § III.A.

The Court finds the prudent course of action is to carry out the requirements of CMO No. 11 so that when funds are available, the necessary prerequisites are in place.

**I. Establishing the Fee and Expense Funds**

The PSC is directed to establish two qualified settlement fund accounts at Deutsche Bank to receive and disburse funds as provided in Case Managements Order No. 11 ("The MDL CB Fund Accounts"). The first fund shall be designated the "MDL

No. 2846 Fee Fund” and the second fund shall be designated the “MDL No. 2846 Expense Fund.” These funds will be held subject to the direction of this Court.

**II. Appointing an Escrow Agent**

This Court appoints Archer Systems, LLC (“Archer”) to serve as Escrow Agent over The MDL CB Fund Accounts and to keep detailed records of all deposits and withdrawals. Archer shall submit quarterly account statements to the Court and to the PSC.

Upon approval by the Court, Archer’s bills shall be paid from the MDL No. 2846 Expense Fund and shall be considered a shared cost. The PSC shall provide a copy of this Order to Archer.

**IT IS SO ORDERED.**

6-8-2021  
DATE

  
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EDMUND A. SARGUS, JR.  
UNITED STATES DISTRICT JUDGE

s/Kimberly A. Jolson  
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KIMBERLY A. JOLSON  
UNITED STATES MAGISTRATE JUDGE