

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:

**FOSAMAX PRODUCTS LIABILITY
LITIGATION**

MASTER FILE
No. 1:06-md-01789-JFK-JCF

**CASE MANAGEMENT ORDER NO. 21
(Concerning Release of Common Benefit Funds)**

IT IS HEREBY ORDERED AND ADJUDGED that the PSC's Unopposed Motion for Distribution of Common Benefit Funds is hereby **GRANTED**. Accordingly, the escrow agent, KCC Class Action Services, LLC, is hereby ordered to release the common benefit funds currently being held in escrow as follows:

1. Because the total amount of the PSC litigation fund contributions, loans to the PSC by PSC member firms, and common benefit held costs exceed the total amount of the common benefit fund, the liabilities of the PSC shall be paid in full first by paying back 100% of the litigation fund contributions and retiring all loans to the PSC by PSC member firms at 100%. The remaining funds shall then be utilized to pay back held costs on a funds-available pro rata basis after the liabilities of the PSC are paid in full.
2. The following amounts shall be utilized in determining litigation fund contributions, loans to the PSC by PSC member firms, and allowable held costs for common benefit work:

LITIGATION FUND CONTRIBUTIONS

LAW FIRM	AMOUNT
Andrus Wagstaff	\$115,000.00
Ashcraft & Gerel, LLP	\$140,000.00
Beasley, Allen, Crow, Methvin, Portis & Miles, P.C.	\$140,000.00
Beatie & Osborn, LLP	\$50,000.00
Estate of Russell Beatie	\$50,000.00
Cory Watson Attorneys	\$140,000.00
F. Dulin Kelly, Esq.	\$25,000.00
Goforth Easterling LLP f/k/a Goforth Sanford & Lewis	\$50,000.00
Irpino Law Firm	\$100,000.00
Krupnick Campbell Firm	\$50,000.00
Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A.	\$165,000.00
Murray Law Firm	\$100,000.00
Pittman, Germany, Roberts & Welsh, LLP	\$75,000.00
Seeger Weiss LLP	\$140,000.00
Shelly A. Sanford, PLLC	\$50,000.00
LITIGATION FUND CONTRIBUTION TOTAL	\$1,390,000.00

LOANS TO THE PSC BY PSC MEMBER FIRMS

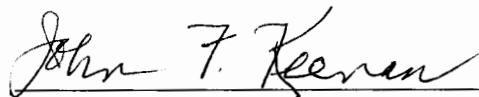
LAW FIRM	AMOUNT
Ashcraft & Gerel, LLP	\$16,452.37
Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A.	\$432,128.77
LOANS TO THE PSC BY MEMBER FIRMS TOTAL	\$448,581.14

ALLOWABLE HELD COSTS FOR COMMON BENEFIT WORK

LAW FIRM	AMOUNT
Andrus Wagstaff	\$5,048.03
Ashcraft & Gerel, LLP	\$65,308.13
Cory Watson Attorneys	\$57,910.89
Fleming Nolen & Jez, LLP	\$1,241.58
Irpino Law Firm	\$5,398.88
Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A.	\$452,637.81
Pittman, Germany, Roberts & Welsh, LLP	\$2,752.95
HELD COSTS FOR COMMON BENEFIT WORK TOTAL	\$590,298.27

SO ORDERED.

Dated: New York, New York

November 16, 2015


JOHN F. KEENAN
 United States District Judge
 Southern District of New York