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WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION

IN RE: ACTOS® (PIOGLITAZONE)  
PRODUCTS LIABILITY LITIGATION

MDL No. 6:11-md-2299

JUDGE DOHERTY

This Document Applies To:  
*All Cases*

MAGISTRATE JUDGE HANNA

**CASE MANAGEMENT ORDER:**  
**INSTRUCTIONS TO DEPUTY SPECIAL MASTER DEJEAN<sup>1</sup>**

By Order dated April 11, 2012, this Court appointed Deputy Special Master DeJean and assigned him the duties, *inter alia*, of conferring with the Court and performing such “duties as might be requested of him by the Court.”<sup>2</sup> Pursuant to this appointment, this Court now instructs Deputy Special Master DeJean as follows:

IT IS HEREBY ORDERED that Deputy Special Master DeJean amass and gather the facts and information necessary for this Court’s analysis, decision, and ruling on the question of whether a common benefit assessment should be made in this case and allocation therein. Specifically, Deputy Special Master DeJean is instructed to amass and gather information now needed by the Court, such as:

- information as to the lodestar determination, including the hours, expenses, and costs actually incurred by the PSC and other common benefit attorneys in this case;
- information as to reasonable hourly fee rates for attorneys and paralegals;

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<sup>1</sup> This Order will be filed in the MDL Docket (11-md-2299) and applies to all cases in the MDL, but will not be spread to all cases.

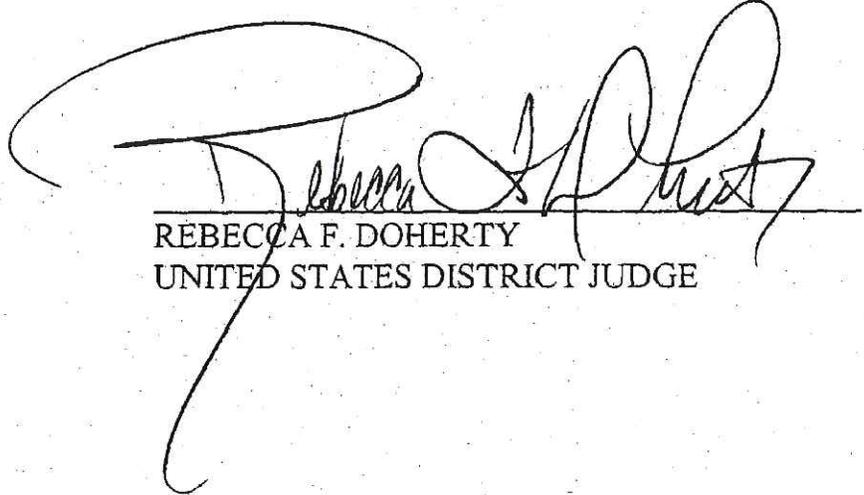
<sup>2</sup> Rec. Doc. 532, at 1.

- information as to the time and labor reasonably required to protect the plaintiffs' common interests;
- information as to the novelty and difficulty of the questions raised by the claims in these proceedings;
- information as to the skill requisite to perform the legal service properly;
- information as to the preclusion of other employment by the attorney due to acceptance of the case;
- information as to the customary fee;
- information as to whether the fee is fixed or contingent;
- information as to time limitations imposed by the client or the circumstances;
- information as to the amount involved and the results obtained;
- information as to the experience, reputation, and ability of the attorneys;
- information as to the "undesirability" of the case;
- information as to the nature and length of the professional relationship with the client; and
- any and all other factual information that Deputy Special Master DeJean concludes, as a result of this fact-gathering process, which might be of benefit to the Court.

IT IS HEREBY FURTHER ORDERED that Deputy Special Master DeJean shall provide this Court with informal updates about the status of his efforts every 30 days, beginning August 31, 2015, so as to keep this Court apprised of the progress he is making. Once the necessary

information has been amassed and gathered, Deputy Special Master DeJean shall inform the Court that he has completed his task.

THUS DONE AND SIGNED in Lafayette, Louisiana, this 7<sup>th</sup> day of August, 2015.



REBECCA F. DOHERTY  
UNITED STATES DISTRICT JUDGE