

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: SORIN 3T HEATER-COOLER
SYSTEM PRODUCTS LIABILITY
LITIGATION (NO. II)

MDL DOCKET NO. 2816
Civil Action No.: 1:18-MD-02816-JEJ

Hon. John E. Jones, III

THIS DOCUMENT RELATES TO:
ALL ACTIONS

CASE MANAGEMENT ORDER NO. 3

Jones, Judge:

On May 31, 2018 the Parties appeared before the Court for the Initial Status Conference in MDL No. 2816, *In Re: Sorin 3T Heater-Cooler System Products Liability Litigation (No. 2)*. At the hearing, Plaintiffs' counsel Sol H. Weiss, Michael K. Johnson, Karen A. Lorenzen, Roopal. P. Luhana, Matt Schultz, Steven W. Sanford, and James L. Ward submitted a Joint Application for Entry of a Plaintiffs' Leadership Group and Proposed Case Management Order No. 3 and asked the Court to adopt the Proposed Leadership Group, in its entirety, and to adopt proposed Case Management Order No. 3 so as to commence the efficient, prompt, and cost-effective resolution of these cases.

Having reviewed Plaintiffs' Joint Application for Entry of a Proposed Leadership Group, the Court **ORDERS:**

- 1. Leadership Group** – The Court appoints the following persons, to

serve in the following capacity on behalf of all Plaintiffs whose claims are transferred to this Court as a result of the Judicial Panel on Multidistrict Litigation's ("JPML") Order filed February 1, 2018 creating MDL 2816, *In Re: Sorin 3T Heater-Cooler System Products Liability Litigation*:

Lead and Liaison Counsel:

Sol H. Weiss – Anapol Weiss, Philadelphia, PA

Plaintiffs' Executive Committee:

Michael K. Johnson – Johnson//Becker, PLLC, St. Paul, MN

Karen A. Lorenzen – Hayes Lorenzen Lawyers, PLC, Iowa City, IA

Roopal P. Luhana – Chaffin Luhana LLP, New York, NY

Matt Schultz – Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A., Pensacola, FL

Steven W. Sanford – Cadwell Sanford Deibert & Garry, LLP, Sioux Falls, SD

James L. Ward, Jr. – McGowan, Hood & Felder, LLC, Mt. Pleasant, SC

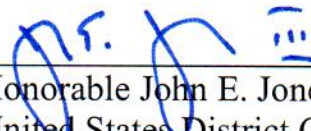
The obligations of Lead Counsel, Liaison Counsel and the Plaintiffs' Executive Committee and any sub-committees appointed by Lead Counsel and Plaintiffs' Executive Committee will be the subject of a future Motion and Proposed Order, to be submitted at the earliest practicable moment by Lead Counsel and Plaintiffs' Executive Committee.

2. **Applicability of Order** – The provisions of this Order shall govern the practice and procedure in those actions that were transferred to this Court by the JPML pursuant to its Order of February 1, 2018. This Order also applies to all related cases filed in the Middle District of Pennsylvania and will also apply to any “tag-along actions” later filed in, removed to, or transferred to this Court.

3. **Common Benefit Assessment** – At the earliest practicable moment, Lead Counsel and Plaintiffs’ Executive Committee shall submit to the Court a Motion for Approval of Common Benefit Time and Case Costs Assessments for all cases transferred into this MDL. The motion shall propose a 2% common benefit fee and a 4% common benefit cost assessment to be taxed against all cases held by law firms who represent clients in this MDL, as well as reasonable common benefit protocols.

SO ORDERED:

Dated: 5-31-18



Honorable John E. Jones III
United States District Court Judge