

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

IN RE: 3M COMBAT ARMS
EARPLUG PRODUCTS
LIABILITY LITIGATION

Case No. 3:19md2885

This Document Relates to All Cases

Judge M. Casey Rodgers
Magistrate Judge Gary R. Jones

COMMON BENEFIT ORDER NO. 2

This Order amends the Court's prior Order of Appointment (ECF 392) and Common Benefit Order No. 1 (ECF 488) to reflect that Ellen Reisman of Reisman Karron Greene LLP will no longer serve as Common Benefit Fund (CBF) Special Master in the 3M MDL and instead Randall Sansom, CPA will serve in that same capacity with all of the authority conferred on the special master in the prior Order of Appointment, including reviewing and working with the CBF Committee to approve common benefit Shared Costs for reimbursement, as well as to review and approve common benefit Attorney Time and Held Costs for potential reimbursement, except that Mr. Sansom will not prepare a Report and Recommendation for the Court at the conclusion of the litigation regarding an award of Attorney Fees and Held Costs.

To the extent Mr. Sansom is of the opinion, as part of his monthly review of time and costs, that a particular Shared Cost should not be reimbursed or Attorney

Time or Held Cost should not be considered for potential reimbursement, he will review that decision with the CBF Committee. To the extent a dispute exists between Mr. Sansom and the CBF Committee regarding a time entry or costs, the matter should be promptly brought to the Court for resolution. Any lawyer may appeal a rejection of time or costs to the Court, within 14 days of being notified of the rejection. If no appeal is submitted within 14 days, the rejection stands.

Mr. Sansom is required to meet with the Court in person each month to provide an update and accounting on CBF activities.

Additionally, as Special Master, Mr. Sansom is required provide to all common benefit attorneys making capital contributions, a financial accounting of Shared and Held Costs for each participating law firm as well as for the total CBF at the end of each calendar year. When capital calls are requested by the Special Master after consultation with the CBF Committee, the Special Master must provide a summary of all approved hours submitted by each contributing firm along with a summary of common benefit Shared Costs and a budget of the Shared Costs for the applicable capital call. The CBF general ledger and supporting documentation will be made available on reasonable request, after execution of a confidentiality agreement and non-disclosure agreement.

All other provisions of the prior Order of Appointment (ECF 392) and Common Benefit Order No. 1 (ECF 488) remain in force, unchanged.

DONE and **ORDERED** on this 9th day of January 2020.

s/ M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE