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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

IN RE: Bard IVC Filters Products  
Liability Litigation,

No. MDL 15-02641-PHX-DGC

**CASE MANAGEMENT ORDER NO. 44**

(Common Benefit Fund Accounts)

Pursuant to Case Management Order No. 6 (Doc. 372), the Plaintiffs Steering Committee (“PSC”) moves to establish common benefit fee and expense fund accounts and appoint Citibank N.A., rather than a certified public account, as escrow agent. Doc. 16932 at 2-3. No objection has been raised by Defendants or counsel for individual plaintiffs. *See* Docs. 17367, 17387, 17404, 17637. The Court will grant the motion.<sup>1</sup>

**IT IS ORDERED:**

1. The PSC’s motion to establish common benefit fee and expense fund accounts (Doc. 16932 at 2-3) is **granted** as set forth in this order.

2. The PSC shall establish two interest-bearing accounts to receive and disburse common benefit funds: the “Bard IVC Filters Fee Fund” and the “Bard IVC Filters Expense Fund.” *See* Doc. 372 at 9.

3. Citibank N.A. is appointed as escrow agent over the common benefit funds. *See id.*; Doc. 17749-1 (Escrow Agreement). The escrow agent fees set forth in Schedule B to the Escrow Agreement (Doc. 17749-1 at 16) are approved. Case Management Order

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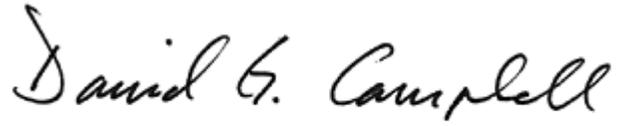
<sup>1</sup> The Court will address the PSC’s request to increase the common benefit assessment percentage (Doc. 16932 at 3-6) in a separate order after a hearing.

1 No. 6 is amended as follows: references to “the CPA” in Section IV(A) are replaced by  
2 the term “Escrow Agent.” *See* Doc. 372 at 9.

3 4. Plaintiffs’ Co-Lead Counsel is responsible for arranging for the preparation  
4 of tax filings related to each common benefit fund account.

5 Dated this 16th day of May, 2019.

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David G. Campbell  
Senior United States District Judge