

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

In re: Bausch & Lomb Contact Lens)	Civil Action No. 2:06-MN77777-DCN
Solution Products Liability Litigation)	
)	MDL Docket No. 1785
)	
)	
)	PRETRIAL ORDER NO. 18
)	
This Order Relates to All Cases)	
)	
)	
)	

ORDER REGARDING DISCLOSURE TO CPA

In accordance with Pretrial Order No. 15 (Amended), defendant is withholding an assessment from certain settlements. The assessment is provided by defendant to the Common Benefit Fund. Pursuant to this Court's July 25, 2008 Order, the Common Benefit Fund is managed by John Beauston of Moore, Beauston & Woodham (the "CPA").

It is hereby further ordered that the CPA shall not disclose any information concerning any settlements, including without limitation the amount of settlement or the amount deposited into the Common Benefit Fund for any specific settlement, except upon written order of this Court. The purpose of maintaining confidentiality is to protect the defendant's legitimate concerns regarding disclosure of the amounts deposited into the Common Benefit Fund inasmuch as knowledge of such precise amounts would allow calculation of any sums defendant paid in settled cases. Defendant shall provide the CPA with a monthly report identifying, by claimant name, all settled cases or claims for which a withholding and deposit into the Common Benefit Fund had been made pursuant to PTO 15, the amount of such settlements and the corresponding amounts withheld and deposited into the Common Benefit Fund. As set forth

above, this report and its content shall not be disclosed by the CPA except upon written order of this Court.

Nothing contained herein alters the requirement in PTO 15 that the CPA provide monthly statements to Plaintiffs' Personal Injury Lead Counsel, Defendant's Liaison Counsel, the Court, or the Court's designee, showing, with respect to the funds controlled by the escrow agent, the aggregate of the monthly deposits, disbursements, interest earned, financial institution charges, if any, and current balance.

AND IT IS SO ORDERED.



DAVID C. NORTON
CHIEF UNITED STATES DISTRICT JUDGE
DISTRICT OF SOUTH CAROLINA

October 1, 2008
Charleston, South Carolina