

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

IN RE: ABILIFY (ARIPIPRAZOLE)
PRODUCTS LIABILITY LITIGATION

Case No. 3:16md2734

This Document Relates to All Cases

Judge M. Casey Rodgers
Magistrate Judge Gary Jones

**ORDER REGARDING AWARD OF
COMMON BENEFIT FEES AND EXPENSES**

This matter is before the Court on Special Master Ellen Reisman's Report and Recommendation Regarding Award of Common Benefit Fees and Expenses, ECF No. 1219. Plaintiffs have been furnished a copy of the Report and Recommendation and were afforded an opportunity to file objections pursuant to Federal Rule of Civil Procedure 53(f)(1). No objections were filed.

On *de novo* review, the Court finds that the Special Master's findings and conclusions are detailed and well-supported by the record and the law. The fact that the Special Master's recommendations received unanimous agreement from all interested counsel is a testament both to the reasonableness of the fee and expense allocation, and to the exceptional skill and expertise of the Special Master, the CPA, and their teams. The Court greatly appreciates their hard work, creativity, and commitment during the course of this litigation.

Accordingly, it is **ORDERED** that:

1. The Special Master's Report and Recommendation, ECF No. 1219, is hereby **ADOPTED** and incorporated by reference in this Order, and the proposed allocation is **APPROVED**.

2. The Court finds that the \$18,942,070.77 available for a common benefit award is reasonable and directs that it be used for repayment of capital contributions, reimbursement of common benefit expenses, and awards of common benefit fees.

3. Each law firm that made a capital contribution to the Common Benefit Fund must receive reimbursement of the full amount of its contribution, without interest, in the total amount of \$3,610,000.00, with each firm receiving the amount set forth below:

Firm	Total Capital
Robins Kaplan LLP	\$500,000.00
Cory Watson Attorneys	\$500,000.00
Aylstock, Witkin, Kreis & Overholtz, PLLC	\$280,000.00
Lieff Cabraser Heimann & Bernstein, LLP	\$280,000.00
Kirtland & Packard LLP	\$280,000.00
Napoli Shkolnik PLLC	\$280,000.00
Zimmerman Reed LLP	\$280,000.00
Levin Papantonio Thomas Mitchell Rafferty & Proctor P.A.	\$280,000.00
GoldenbergLaw, PLLC	\$220,000.00
Farr, Farr, Emerich, Hackett, Carr & Holmes P.A.	\$220,000.00
Pittman, Dutton & Hellums P.C.	\$220,000.00
Childers, Schlueter & Smith, LLC	\$220,000.00
Berger Montague	\$50,000.00

4. Common benefit expenses totaling \$1,539,845.35, which were appropriately submitted as held costs pursuant to Common Benefit Order No. 1, must be reimbursed to the law firms claiming them, with each firm receiving the amount set forth below:

Firm	Total Expenses
Robins Kaplan LLP	\$599,306.06
Aylstock, Witkin, Kreis & Overholtz, PLLC	\$294,015.76
Cory Watson Attorneys	\$202,751.80
Lieff Cabraser Heimann & Bernstein, LLP	\$145,503.04
Levin Papantonio Thomas Mitchell Rafferty & Proctor P.A.	\$91,379.38
Kirtland & Packard LLP	\$73,853.19
GoldenbergLaw, PLLC	\$41,877.75
Meshbesh & Spence Lawyers	\$25,350.72
Farr, Farr, Emerich, Hackett, Carr & Holmes P.A.	\$24,481.33
Napoli Shkolnik PLLC	\$22,571.40
Zimmerman Reed LLP	\$15,377.65
Pittman, Dutton & Hellums P.C.	\$3,377.27

5. The additional \$13,660,750 must be allocated and paid to the firms listed below in the percentages and amounts indicated:

Firm	Percentage Award	Fee Award
Robins Kaplan LLP	19.25%	\$2,629,694.38
Cory Watson Attorneys	19.25%	\$2,629,694.38
Aylstock, Witkin, Kreis & Overholtz, PLLC	19.25%	\$2,629,694.38
Lieff Cabraser Heimann & Bernstein, LLP	7.00%	\$956,252.50
Kirtland & Packard LLP	6.00%	\$819,645.00
GoldenbergLaw, PLLC	6.00%	\$819,645.00
Napoli Shkolnik PLLC	4.75%	\$648,885.63
Farr, Farr, Emerich, Hackett, Carr & Holmes P.A.	4.75%	\$648,885.63
Zimmerman Reed LLP	3.00%	\$409,822.50
Levin Papantonio Thomas Mitchell Rafferty & Proctor P.A.	3.00%	\$409,822.50

Firm	Percentage Award	Fee Award
Pittman, Dutton & Hellums P.C.	3.00%	\$409,822.50
Putnick Legal, LLC	2.00%	\$273,215.00
Berger Montague	0.50%	\$68,303.75
Meshbeshier & Spence Lawyers	0.50%	\$68,303.75
Childers Schlueter & Smith	0.11%	\$15,026.83
Zonies Law, LLC	0.01%	\$1,366.08
Frohlich, Gordon & Beason, P.A.	0.01%	\$1,366.08
Restaino Law, LLC	0.01%	\$1,366.08

6. The CPA is directed to make payments in accordance with this Order.

7. The Special Master must submit a Report and Recommendation on or before April 15, 2020 with recommendations regarding the distribution of any remaining funds in the Common Benefit Fund.

DONE AND ORDERED, on this 21st day of December, 2019.

M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE