

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: ROUNDUP PRODUCTS
LIABILITY LITIGATION

MDL No. 2741

Case No. 16-md-02741-VC

This document relates to:

ALL ACTIONS

**PRETRIAL ORDER NO. 286:
AMENDED ORDER REGARDING
APPOINTMENT OF SPECIAL
MASTER FOR COMMON BENEFIT
FUND DISBURSEMENTS**

On April 7, 2023, the Court gave the parties notice and opportunity to be heard regarding its intent to appoint William A. Foster as special master to make recommendations to the Court regarding disbursement of common benefit funds. Having received no objections from the parties, the Court appointed Mr. Foster as special master pursuant to Rule 53(a)(1)(C) on May 19, 2023. At the time of appointment, Mr. Foster was employed at Akin Gump Strauss Hauer & Feld LLP. Mr. Foster is now employed at Pillsbury Coleman LLP. This amended Order reflects Mr. Foster's change in employment.

1. Mr. Foster shall continue to proceed with all reasonable diligence. Mr. Foster's duties include issuing an order setting forth a process and schedule for attorneys to apply for disbursement of common benefit funds, reviewing all applications for disbursement of common benefit funds and any objections thereto, and preparing a report and recommendation to the Court regarding the disbursement of common benefit funds. The Court envisions this work being completed by the end of 2023.

2. Mr. Foster may confer with the Court *ex parte* subject to Mr. Foster's and the Court's discretion. Mr. Foster may also confer with a party or a fee applicant *ex parte* subject to his discretion.

3. In connection with the disbursement of common benefit funds, the following documents shall be filed to the main docket in this action: (1) orders regarding the process or schedule for applying for disbursements from the common benefit fund and (2) reports and recommendations regarding the disbursement of common benefit funds.

4. After Mr. Foster files a report and recommendation regarding disbursement of common benefit funds, a party may file objections to the report and recommendation with the Court no later than 14 days after the report and recommendation is filed. The Court will review any objections pursuant to Rule 53(f).

5. Ryan Opgenorth is the Pillsbury Coleman partner assigned to the matter and will oversee Mr. Foster in performing his duties under this Order. The firm will charge a blended rate of \$910 per hour for their time, not to exceed 4% of the common benefit fund. The firm's billings shall be paid out of the common benefit fund, managed by the fund administrator, Postlethwaite & Netterville, 8550 United Plaza Blvd, Suite 1001, Baton Rouge, LA 70809.

6. No billings for work performed in connection with Mr. Foster's appointment shall be submitted to the fund administrator until the Court, after receiving Mr. Foster's report and recommendation, enters an order regarding the disbursement of common benefit funds. At that point, Mr. Foster shall file to the docket a billing invoice of the work performed in connection with the appointment. Any party to the case may file an objection to the reasonableness of the billing invoice within 7 days. The Court will independently review any objection to the reasonableness of the invoice. If no objection is received or following the resolution of any objection, the Court will order the fund administrator to pay the billing invoice, subject to any adjustments the Court may make.

IT IS SO ORDERED.

Dated: October 6, 2023

A handwritten signature in black ink, appearing to read 'V. Chhabria', is written above a solid horizontal line.

VINCE CHHABRIA
United States District Judge