

**IN THE COURT OF COMMON PLEAS
OF DELAWARE COUNTY, PENNSYLVANIA
CIVIL DIVISION**

DELAWARE COUNTY,	:	COURT OF COMMON PLEAS
PENNSYLVANIA	:	DELAWARE COUNTY, PENNSYLVANIA
	:	
Plaintiff,	:	
	:	CIVIL ACTION - LAW
v.	:	
	:	
PURDUE PHARMA L.P., et al.,	:	NO. 2017-008095
	:	
Defendants.	:	

**APPLICATION OF SPECIAL MASTER JUDGE JOEL SCHNEIDER (RET.)
FOR COURT APPROVAL OF THE FINAL AGREED LITIGATION CONDUCT
(A/K/A COMMON BENEFIT) FEES AWARDS**

Comes now Special Master Judge Joel Schneider (Ret.) seeking approval from the Court of the Special Master's Final Agreed Litigation Conduct (a/k/a/ Common Benefit) Fee Awards, and in support thereof the following documents are attached:

1. Verification of Special Master Judge Joel Schneider (Ret.).
2. Verification of Amy Collins.
3. Proposed Order with Verifications to be signed by all firms receiving an Award of Common Benefit Fees.

WHEREFORE, it is respectfully requested that the attached Order be entered.

Respectfully submitted,

By: s/Joel Schneider
Judge Joel Schneider (Ret.)
Special Master

DATED: February 15, 2024

**IN THE COURT OF COMMON PLEAS
OF DELAWARE COUNTY, PENNSYLVANIA
CIVIL DIVISION**

DELAWARE COUNTY, PENNSYLVANIA	:	COURT OF COMMON PLEAS
	:	DELAWARE COUNTY, PENNSYLVANIA
	:	
Plaintiff,	:	
	:	CIVIL ACTION - LAW
v.	:	
	:	
PURDUE PHARMA L.P., et al.,	:	NO. 2017-008095
	:	
Defendants.	:	

**VERIFICATION OF SPECIAL MASTER JUDGE JOEL SCHNEIDER (RET.)
IN SUPPORT OF APPLICATION TO APPROVE FINAL
COMMON BENEFIT FEE AWARDS**

I, Judge Joel Schneider (Ret.), hereby verify as follows:

1. I was appointed Special Master in the Honorable Barry C. Dozor's August 2, 2022 Order Granting Plaintiff's Motion to Establish a Pennsylvania Opioid Fee Fund and Appoint a Special Master to Determine and Disburse Attorneys' Fees and Establish a Procedure for Reimbursing Counsel for Documented Expenses and Costs ("Order").
2. My responsibilities as Special Master included designing and implementing processes and procedures for the allocation of contingency and common benefit fees. Order at II.A.
3. Pursuant to the Order, I was authorized to employ the services of assistants to act under my direction to accomplish the objectives set forth in the Order. In order to determine the common benefit fees to be awarded, I retained on behalf of the Pennsylvania Opioid Fee Fund Amy L. Collins, P.C. to serve as the Pennsylvania Opioid Common Benefit Fee Fund Auditor. Ms. Collins is a nationally recognized expert in this area.
4. In November, 2023, Ms. Collins submitted her confidential final Auditor's Report and Recommendations to the Special Master. The Report was served after Ms. Collins reviewed the substantial submissions from the Fee Applicants, including interviews accompanied by the Special Master.

5. After its de novo review and analysis of Ms. Collins's Report and Recommendations, I issued on December 14, 2024 Preliminary Common Benefit Awards to which all Fee Applicants had an opportunity to comment upon and object. No objections were served. The Special Master's recommended Final Awards are identical to the Preliminary Awards to which there was no objection. The applicable Order provides that if an objection is not served to a Preliminary Award, it is waived and may not be asserted to a proposed Final Award.
6. All Final Objections to the Special Master's Report and Recommendation must be filed with the Court and served on Judge Dozor within ten (10) days of service. In the unlikely event objections are served all Final Objections are reviewed by Judge Dozor under an abuse of discretion standard.
7. Along with this Verification, I am contemporaneously serving Judge Dozor with the Verification of Ms. Collins and a proposed Order listing the Final Common Benefit Awards to be paid from the Pennsylvania Opioid Fee Fund. Attached to the proposed Order is a Verification to be signed by all Contact Counsel who receive a Common Benefit Award.
8. The February 17, 2023 Order provides at Section I that counsel shall only be eligible to apply for Common Benefit Fees if they represented Pennsylvania clients who executed Participation Agreements to participate in the J&J and Distribution Settlement Agreements regardless of the jurisdiction where they filed their cases. In addition, the Order provides that in order to recover fees, costs and expenses from the Fee Fund, counsel must agree to waive enforcement of their fee contracts with respect to the Pennsylvania Participating Subdivision for whom they are seeking an award of fees. Id.
9. In accordance with the foregoing, I verify that only eligible firms are being awarded common benefit fees.
10. As set forth in my Report and Recommendation, the following are the recommended Final Common Benefit Awards:

	Firm	Final Award	Annual Payment (Over 5 Years)
1.	Baron & Budd, P.C.	\$ 10,887,534.30	\$ 2,177,506.86
2.	Boni, Zack & Snyder, LLC	\$ 1,303,915.19	\$ 260,783.04
3.	David Kairys	\$ 446,048.55	\$ 89,209.71
4.	Dilworth Paxson, LLP	\$ 4,176,196.02	\$ 835,239.20
5.	Levin, Sedran & Berman	\$ 568,912.97	\$ 113,782.59
6.	Marc J. Bern & Partners, LLP	\$ 772,377.30	\$ 154,475.46
7.	McLaughlin & Lauricella, P.C.	\$ 1,850,406.63	\$ 370,081.33
8.	Motley Rice, LLC	\$ 640,109.78	\$ 128,021.96
9.	Napoli Shkolnik, PLLC	\$ 30,602.39	\$ 6,120.48
10.	Sacks Weston, LLC	\$ 132,596.71	\$ 26,519.34
11.	Saltz Mongeluzzi & Bendesky, P.C.	\$ 2,845,333.99	\$ 569,066.80

	Firm	Final Award	Annual Payment (Over 5 Years)
12.	Scott & Scott Attorneys at Law, LLP	\$ 185,888.72	\$ 37,177.74
13.	Sheller, P.C.	-0-	\$ 0.00
14.	Simmons Hanly Conroy, LLC	\$ 4,485,489.53	\$ 897,097.91
	Total	\$ 28,325,412.09	\$ 5,665,082.42

11. In accordance with the February 17, 2023 Order (Section II), I served the Chairperson of the Trust and the Commonwealth's designees with a copy of my proposed Final Common Benefit Awards. The deadline for them to serve any comments or objections is February 12, 2024.
12. To the best of my knowledge all applicable requirements regarding the award of common benefit fees from the Pennsylvania Opioid Fee Fund have been satisfied. Accordingly, I request that the accompanying Order be entered.

I verify pursuant to 18 Pa.C.S. Sec. 4904 this 15th day of February, 2024, the foregoing statements made by me are true.

By: s/ Joel Schneider
 Judge Joel Schneider (Ret.)
 Special Master – Pennsylvania Opioid Fee Fund

**IN THE COURT OF COMMON
PLEAS OF DELAWARE COUNTY,
PENNSYLVANIA CIVIL DIVISION**

DELAWARE COUNTY,
PENNSYLVANIA,

Plaintiff

v.

PURDUE PHARMA L.P., et al.,

Defendants.

COURT OF COMMON PLEAS
DELAWARE COUNTY, PA
CIVIL ACTION – LAW

No. 2017-008095

VERIFICATION OF AMY COLLINS

I, Amy Collins, hereby verify as follows:

1. I was retained as the Auditor by Special Master Judge Joel Schneider (Ret.) to advise on processes to establish audits and audit the time entries submitted by Applicants seeking Agreed Litigation Conduct (a/k/a Common Benefit) Fee Awards to be paid from the Pennsylvania Opioid Fee Fund.

2. Common Benefit Fee Awards are addressed in Section IV of The Honorable Barry C. Dozor’s February 17, 2023 Order Establishing Application Protocols for Allocation and Payment of Contingency and Agreed Litigation Conduct (A/K/A Common Benefit Fees) Under the Pennsylvania Opioids Trust and Allocation Order. (“Order”).

3. In accordance with the Order, I independently evaluated each time entry to verify eligibility for compensation from the Fee Fund and made Fee Applicant-specific recommendations to the Special Master.

4. To fulfill my duties, I applied the same methodology, scrutiny, and process to all Fee Applicants’ common benefit time submissions, conducted an audit process under which Fee

Applicants could respond to disputed time entries, and attended interviews along with the Special Master to invite input from Fee Applicants into the quantity and quality of the work performed.

5. Thereafter, in consultation with the Special Master, a Preliminary Award Notice was served on each firm that applied for Common Benefit fees. Pursuant to the Order, the Fee Applicants were provided the required time to accept or reject their Preliminary Award. Fee Applicants objecting to their Preliminary Award Notice were required to set forth objections on a provided Notice of Objection Form. No objections were received.

6. After receiving no objections to the Preliminary Awards, I served my final report on Special Master Schneider to be utilized in issuing the Final Common Benefit Fee Awards from the Pennsylvania Opioid Fee Fund.

7. To the best of my knowledge, I have fulfilled all required duties and responsibilities as the Pennsylvania Opioid Fee Fund Auditor to ensure that the time submitted for compensation from the Fee Fund complied with all applicable orders and the requirements established by the Special Master and to advise on the calculation of Common Benefit Fee Awards after all Fee Applicants were provided the required opportunity to object or provide questions or comments.

I verify pursuant to 18 Pa. C.S. Sec. 4904, this 25th day of January 2024, that the foregoing statements made by me are true.

By: Amy L Collins
Amy Collins

**IN THE COURT OF COMMON
PLEAS OF DELAWARE COUNTY,
PENNSYLVANIA CIVIL DIVISION**

DELAWARE COUNTY,
PENNSYLVANIA,

Plaintiff

v.

PURDUE PHARMA L.P., et al.,

Defendants.

COURT OF COMMON PLEAS
DELAWARE COUNTY, PA
CIVIL ACTION – LAW

No. 2017-008095

**ORDER APPROVING FINAL AGREED LITIGATION CONDUCT
(A/K/A COMMON BENEFIT) FEE AWARDS**

It is hereby ORDERED this ____ day of February, 2024 as follows:

The Special Master, Judge Joel Schneider (Ret.), having arranged to be filed on the docket the Special Master's Application for Court Approval of the Final Agreed Litigation Conduct (A/K/A Common Benefit) Fee Awards; and the Application including the Special Master's Final Common Benefit Fee Awards with Supporting Verifications of the Special Master and Amy L. Collins (Auditor); and there being no objections to the Special Master's Final Common Benefit Fee Awards; and accordingly, the Court makes the following findings and rulings:

WHEREAS, pursuant to the August 2, 2022 "Order Granting Plaintiff's Motion to Establish a Pennsylvania Opioid Fee Fund and Appoint a Special Master to Determine and Distribute Attorneys' Fees and Establish a Procedure for Reimbursing Counsel for Documented Expenses and Costs" ("Aug. 2, 2022 Order"), Judge Joel Schneider (Ret.) was appointed Special Master. Judge Schneider's responsibilities included designing and implementing processes and procedures for allocating contingency and common benefit fees. *Aug. 2, 2022 Order* at II.A.; and

WHEREAS, pursuant to the February 17, 2023 “Order Establishing Application Protocols for Allocation and Payment of Contingency and Agreed Litigation Conduct (A/K/A Common Benefit) Fees Under the Pennsylvania Opioids Trust and Allocation Order” (“Feb. 17, 2023 Order”), the Special Master retained Amy L. Collins, PC to serve as the Pennsylvania Opioid Fee Fund Auditor (“Auditor”) tasked with ensuring that the time submitted for compensation from the Pennsylvania Opioid Fee Fund complies with all applicable orders and the requirements established by the Special Master. *See Feb. 17, 2023 Order* at 9; and

WHEREAS, Judge Schneider seeks Court approval of the Special Master’s Final Common Benefit Fee Awards. In support thereof, Judge Schneider served the Verifications of the Special Master and Auditor; and

WHEREAS, the submitted Verifications document that all requirements in this Court’s August 2, 2022, and February 17, 2023 Orders have been met, including but not limited to giving appropriate notice to all fee applicants of their Preliminary Awards with an opportunity to object; and

WHEREAS, the failure to timely object shall be deemed a waiver of all objections to the Preliminary and Final Awards and no fee applicant served an objection to their Preliminary Award. *See Feb. 17, 2023 Order* at 17; and

WHEREAS, no objections were filed to the Special Master’s Report and Recommendation on the Allocation of Agreed Litigation Conduct (A/K/A Common Benefit) fees; and

WHEREAS, the Special Master listed in his Verification the Final Common Benefit Fee Awards to be paid from the Pennsylvania Opioid Fee Fund; and

WHEREAS, based upon the foregoing the Court finds good cause to enter this Order, and accordingly,

IT IS NOW hereby ORDERED as follows:

1. The Special Master's Final Common Benefit Fee Awards are APPROVED.
2. Upon notice from the Special Master, Archer Systems, LLC is authorized to dispense to the following law firms the designated amounts for common benefit fees in accordance with the payment schedule imposed by the Court's Orders:

	Firm	Final Award	Annual Payment (Over 5 Years)
1.	Baron & Budd, P.C.	\$10,887,534.30	\$2,177,506.86
2.	Boni, Zack & Snyder, LLC	\$1,303,915.19	\$260,783.04
3.	David Kairys	\$446,048.55	\$89,209.71
4.	Dilworth Paxson, LLP	\$4,176,196.02	\$835,239.20
5.	Levin, Sedran & Berman	\$568,912.97	\$113,782.59
6.	Marc J. Bern & Partners, LLP	\$772,377.30	\$154,475.46
7.	McLaughlin & Lauricella, P.C.	\$1,850,406.63	\$370,081.33
8.	Motley Rice, LLC	\$640,109.78	\$128,021.96
9.	Napoli Shkolnik, PLLC	\$30,602.39	\$6,120.48
10.	Sacks Weston, LLC	\$132,596.71	\$26,519.34
11.	Saltz Mongeluzzi & Bendesky, P.C.	\$2,845,333.99	\$569,066.80
12.	Scott & Scott Attorneys at Law, LLP	\$185,888.72	\$37,177.74
13.	Sheller, P.C.	\$0.00	\$0.00
14.	Simmons Hanly Conroy, LLC	\$4,485,489.53	\$897,097.91
	Total	\$28,325,412.08	\$5,665,082.42

3. Archer Systems, LLC shall not dispense any of the foregoing amounts to law firms unless and until the Special Master and Archer Systems, LLC receives a copy of the law firm's attached executed Verification. All law firms executing Verifications shall serve the Special Master and Archer Systems, LLC with a copy. The Special Master shall arrange for the executed Verifications to be filed on the Court's docket.

BY THE COURT:

THE HONORABLE BARRY C. DOZOR

DELAWARE COUNTY, PENNSYLVANIA,	:	
	:	
	:	
	:	
Plaintiff,	:	COURT OF COMMON PLEAS
	:	DELAWARE COUNTY, PA
v.	:	CIVIL ACTION – LAW
	:	
PURDUE PHARMA L.P., et al.,	:	No. 2017-008095
	:	
Defendants.	:	
	:	
	:	

I, _____, hereby verify that I am a partner in the law firm of _____ and that I am authorized to execute this Verification on behalf of the firm. I further verify and acknowledge that the Special Master has issued his Final Common Benefit Fee Award to my law firm in the amount of \$_____ and that the Honorable Barry C. Dozor has entered an Order approving the Special Master's Award. I acknowledge and accept the Award in full and final satisfaction of my law firm's application(s) made to date for payment of common benefit fees in connection with the opioid settlement entered into by the Distributors and Johnson & Johnson.

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I further verify that I authorize Archer Systems, LLC to wire the foregoing listed Award(s) to my law firm using the wiring instructions my firm previously provided.

Also, that my firm will indemnify and hold harmless the Court, Special Master, the Commonwealth's Opioid Misuse and Addiction Abatement Trust, and the Pennsylvania Opioid Fee Fund from any claims made against them by any person, firm or entity claiming entitlement to a share of the Award(s).

In accordance with Judge Dozor's February 17, 2023 Order (Section VII), I am identifying herein the other attorneys/firms who have a fee interest in connection with the representation of the Participating Litigating Subdivision(s) and any lienholders as agreed upon between and among the other attorney/firms in accordance with any applicable agreement or as otherwise required by law. These attorneys/firms are:

I verify pursuant to 18 Pa.C.S. Sec. 4904 this ____ day of _____, 2024 that the foregoing statements made by me are true based on my personal knowledge.

Name:

Law Firm: