

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: SORIN 3T : MDL DOCKET NO. 2816
HEATER-COOLER SYSTEM : Civil Action No. 1:18-MD-2816
PRODUCTS LIABILITY :
LITIGATION (NO. II) : Hon. John E. Jones, III
: :
: THIS DOCUMENT RELATES TO:
: ALL CASES

**CASE MANAGEMENT ORDER NO. 13
(APPOINTING SETTLEMENT MASTER)**

The Court, having conferred with, and receiving consent from the parties, hereby appoints Randi Ellis to serve as Settlement Master in this litigation.

Federal Rule of Civil Procedure 53 allows courts to appoint a special master to “perform duties consented to by the parties,” and allows for litigants to suggest candidates to serve as a special master. Fed. R. Civ. P. 53(a)(1)(A) & (b)(1). Ms. Ellis is experienced in dispute resolution and settlement implementation and administrations. She has served as a court-appointed mediator or special master in numerous federal and state cases. She is a member of the Academy of Court Appointed Special Masters, and has extensive experience allocating settlement funds in complex litigations, including federal multidistrict litigation.

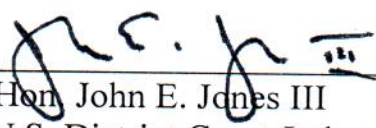
Upon review of the materials submitted, it is the opinion of this Court that Ms. Ellis possesses the requisite skills, experience, knowledge, character,

credibility, and other attributes necessary to serve as Settlement Master in this multi-district litigation. The parties are ordered to meet and confer with each other to discuss settlement, in good faith, and to meet with the Settlement Master, telephonically or in person, on a monthly basis, or on a more frequent basis as requested by the Settlement Master. The Settlement Master shall report to the Court concerning any and all progress.

The Settlement Master shall have the power and authority to review the allocation of funds and in so doing may engage in *ex parte* communications with all parties, counsel, and the Court. Any party that desires to share information with the Settlement Master on a confidential basis shall advise the Settlement Master of that desire before information is shared. Pursuant to the Quasi-judicial immunity doctrine, the Special Master shall be deemed to have immunity in the performance of its tasks. No person shall have the right to institute any action against the Settlement Master for any matter arising from the execution of the Settlement Master's duties, except with respect to any claim of willful misconduct on the part of the Settlement Master.

Plaintiffs shall pay 50% of the Settlement Master's fees and costs, and Defendants shall pay 50% of the Settlement Master's fees and costs.

Dated: December 3, 2018



Hon. John E. Jones III
U.S. District Court Judge