

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

<b>IN RE: XARELTO (RIVAROXABAN) PRODUCTS LIABILITY LITIGATION</b>	*	<b>MDL No. 2592</b>
	*	
	*	<b>SECTION L</b>
	*	
<b>THIS DOCUMENT RELATES TO:</b>	*	<b>JUDGE ELDON E. FALLON</b>
	*	
<b>ALL CASES</b>	*	<b>MAGISTRATE NORTH</b>

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**PRETRIAL ORDER NO. 34**

**(Payment of Unpaid Filing Fees from Plaintiffs Resolved through the Private Settlement Agreement)**

During the early stages of this litigation, in an effort to minimize expense and promote judicial efficiency, the Court entered Pretrial Order (“PTO”) No. 11, which authorized the bundling of up to 100 Plaintiffs in a single complaint. Pursuant to PTO 11, one filing fee was paid for the lead plaintiff in a bundled complaint, and the responsibility for filing fees for the remaining plaintiffs in that bundled complaint (hereinafter referred to as “Joined Plaintiffs”) were suspended until the resolution of their respective claims or further order of the Court. *See* R. Doc. 893. The filing of bundled complaints was allowed through May 20, 2016. *See* R. Doc. 2850. The Court also entered PTO 11B to address the deferred and unpaid filing fees of Joined Plaintiffs. *See* R. Doc. 1117. Pursuant to PTO 11B, inter alia, a filing fee is owed upon a stipulated dismissal or order of dismissal after settlement of a Joined Plaintiff’s case, and the Clerk of Court has a lien on the settlement for purposes of collecting the unpaid filing fee. *See* R. Doc. 1117 at ¶¶ 6–7.

The parties have reported to the Court that the Private Settlement Agreement has resolved the claims of virtually every Plaintiff involved in this litigation, including the claims of all Plaintiffs listed on Exhibit A to this Order. The Clerk of Court has also reported that all of the Plaintiffs listed on Exhibit A have unpaid filing fees that must be addressed pursuant to PTO 11B. Accordingly;

**IT IS ORDERED** that unpaid filing fees for the Plaintiffs listed on Exhibit A shall be addressed as follows:

1. Any Plaintiff listed on Exhibit A who asserts that the filing fee for his or her case has already been paid is directed to contact Dean Oser, Case Manager for The Honorable Eldon E. Fallon, at dean\_oser@laed.uscourts.gov within ten (10) days of the entry of this Order to demonstrate that the filing fee has been paid. The correspondence to Mr. Oser shall include proof of payment of the filing fee. After ten (10) days from the date of the entry of this Order, the filing fee will be found to be owed by all Plaintiffs on Exhibit A, unless proof of prior payment is provided prior to the expiration of the 10-day period.
2. The QSF Administrator, ARCHER Systems, LLC, is directed to withhold the unpaid filing fee from the settlement award of all Plaintiffs identified in Exhibit A and to transfer these funds to the Court as directed by the Clerk of Court. If settlement funds are insufficient to cover unpaid filing fees for any individual Plaintiff, pursuant to PTO 11B, Plaintiff's counsel will be responsible for paying the filing fees, subject to counsel's right, if permitted by applicable state law and fee arrangements to seek reimbursement from plaintiffs. Any filing fees paid by counsel shall be paid directly to the Clerk of Court.

New Orleans, Louisiana, this 27th day of May, 2020.

  
HONORABLE ELDON E. FALLON  
UNITED STATES DISTRICT JUDGE