

100 Points

\$1,865.01 Point Value

\$76,600.00 Interim Payment

8% MDL Holdback

15% Private Lien Resolution Program

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FINAL SETTLEMENT AMOUNT:

\$109,901.00

FINAL CHECK AMOUNT TO CLIENT:

\$44,892.52

AMOUNT OF CHECK FROM BG FOR

FINAL PAYMENT:

\$65,140.76

## Disbursement Schedule for Final Vioxx Settlement Payment

**Informational Only.** The below disbursement schedule has been prepared by the Plaintiffs' Negotiating Committee for purposes of informing Primary and Secondary Counsel of relevant factors to be considered when accounting for settlement proceeds and disbursing funds to Vioxx claimants. The example disbursement schedule takes into consideration the final point value as calculated by Brown Greer, deductions for governmental liens, deductions for private liens, and the guidelines outlined in the MDL Court's fee-related orders. This specimen is for informational purposes only. Primary and Secondary Counsel remain solely responsible for compliance with all relevant Rules of Professional Conduct, court orders, and fee agreements.

### Calculation of Claimant's Final Payment:

<b>Gross Settlement Amount (GSA) (Total Points X Final Point Value):</b>	<b>\$186,501.00</b>
Deductions:	
Costs & Expenses:	\$1,865.01
Liens:	\$27,975.15
Interim Payment (IP):	\$76,600.00
Attorneys' Fees from Final Payment:	\$35,168.32

**Important:** Attorneys' Fees are calculated by multiplying 32% by the Final Settlement Amount, which is the Gross Settlement Amount less the Interim Settlement Payment.

**Final Check Amount to Client: \$44,892.52**

### Calculation of Proceeds from Claims Administrator:

<b>Gross Settlement Amount (Total Points x Final Point Value):</b>	<b>\$186,501.00</b>
Deductions:	
MDL Attorneys' Fees Holdback:	\$14,920.08
MDL Costs Holdback:	\$1,865.01
Lien Holdback:	\$27,975.15
Interim Payment:	\$76,600.00

**Amount to Primary Counsel on behalf of Claimant: \$65,140.76**

### Disbursement Overview:

<b>Gross Settlement Amount (Total Points x Final Point Value):</b>	<b>\$186,501.00</b>
Deductions:	

**Important:** Total Attorneys' Fees represents the total attorneys' fees payable by each claimant based upon the Gross Settlement Amount.

Total Attorneys' Fees:	\$59,680.32
Costs & Expenses <u>Withheld from Final Payment:</u>	\$1,865.01
Liens <u>Withheld from Final Payment:</u>	\$27,975.15
Costs/Expenses/Liens <u>Withheld from Initial Payment:</u>	\$0.00

**Net Settlement Amount to Client:**

The Net Settlement Amount to Client should equal the sum of the amount received by the claimant from the Interim Settlement Payment and the Final Check Amount to Client.

**\$96,980.52**

## Disbursement Schedule for Vioxx Claimant

### Instructions for Calculating Claimant's Final MI/SCD Payment

**Informational Only.** The attached disbursement schedule has been prepared by the Plaintiffs' Negotiating Committee for purposes of informing Primary and Secondary Counsel of relevant factors to be considered when accounting for settlement proceeds and disbursing funds to Vioxx claimants. The example disbursement schedule takes into consideration the final point value as calculated by Brown Greer, deductions for governmental liens, deductions for private liens, and the guidelines outlined in the MDL Court's fee-related orders. This specimen is for informational purposes only. Primary and Secondary Counsel remain solely responsible for compliance with all relevant Rules of Professional Conduct, court orders, and fee agreements.

**Step 1:** From the Notice of Points Award issued by the Claims Administrator, enter the number of points awarded the claimant.

**Total Points Awarded:**

100

**IMPORTANT:** The Gross Settlement Amount is based upon a final point value calculated by the Claims Administrator. Enter the Final Point Value as determined by the Claims Administrator.

**Final Point Value:**

\$1,865.01

**Step 2:** The Gross Settlement Amount is calculated by multiplying the Final Point Value by the Total Points Awarded. The Gross Settlement Amount is the total settlement amount awarded to a claimant before deductions for fees, costs, liens, and other proper charges.

**Gross Settlement Amount:**

\$186,501.00

**Step 3:** If the Claimant qualified for and received an interim settlement payment, enter the Interim Settlement Amount received from Brown Greer.

**Interim Settlement Amount:**

\$76,600.00

**Step 4:** The Final Settlement Amount is the Gross Settlement Amount less the Interim Settlement Amount received from Brown Greer.

**Final Settlement Amount:**

\$109,901.00

**Step 5:** The Final Settlement Amount must be reduced by attorneys' fees, costs, expenses, assessments, liens, and other proper charges to calculate the Final Check Amount to Claimant. The items below must be deducted from the Final Settlement Amount to calculate the Final Check Amount to Claimant:

**Attorneys' Fees:**

\$35,168.32

**IMPORTANT:** Per MDL Court Order, attorneys' fees have been capped at 32% of the Gross Settlement Amount.

## Disbursement Schedule for Vioxx Claimant

**IMPORTANT:** Per MDL Court Order, 8% of the Gross Settlement Amount has been withheld pending determination by the Court of the appropriate Common Benefit Assessment Amount. The 8% assessment is chargeable to attorneys only and must be deducted from the 32% attorneys' fee award. If Primary Counsel did not complete the Primary Counsel Certification of Contingency Fee, then 32% of the Gross Settlement Amount will be withheld per Court Order.

**IMPORTANT:** This Disbursement Schedule is drafted based upon compliance with the Court's Order capping attorneys' fees at 32%.

MDL Attorneys' Fees Holdback (based upon 8%): \$14,920.08

Net Fees to Pay Attorneys: \$20,248.24

Primary Counsel \$20,248.24

Non-primary Counsel (% referral fee) 0.00%

Non-primary Counsel (% referral fee) 0.00%

Non-primary counsel (\$) \$0.00

Non-primary counsel (\$) \$0.00

**IMPORTANT:** Any portion of fees received by Non-primary Counsel is based upon a fee sharing agreement between co-counsel and does not affect the amount received by a claimant.

**Costs & Expenses (Not Deducted From Interim Payment):** **\$1,865.01**

**IMPORTANT:** Per MDL Court Order, 1% of the Gross Settlement Amount has been withheld as an MDL cost/expenses assessment. The 1% assessment is chargeable to each claimant and should be deducted from the net settlement amount to each claimant.

MDL Cost Assessment: \$1,865.01

Firm Costs/Expenses: \$0.00

**Total Governmental Lien Obligations (Not Deducted From Interim Payment):** **\$0.00**

**IMPORTANT:** The Settlement Agreement required the appointment of a Lien Resolution Administrator (LRA) to resolve governmental lien obligations.

**IMPORTANT:** Obligations to repay the government have been resolved to the extent itemized below. Potential obligations not itemized remain the responsibility of the client.

Medicare Obligation - Primary Injury (\$) \$0.00

Medicare Obligation - Secondary Injury (\$) \$0.00

Medicaid (State 1) Final Lien (\$) \$0.00

Medicaid (State 2) Final Lien (\$) \$0.00

Medicaid (State 3) Final Lien (\$) \$0.00

Other Govt. Program Lien Obligations (\$) \$0.00

{Name of Other Govt. Program} \$0.00

{Name of Other Govt. Program} \$0.00

**IMPORTANT:** If a medical lien has been asserted or an obligation exists to repay medical expenses and the amount necessary to satisfy the lien or obligation is unknown, the Vioxx Claims Administrator and/or Primary Counsel has withheld some or all of Claimant's settlement, as itemized below, to satisfy the potential lien or obligation.

Medicaid Holdback %\* 0.00%

Medicaid Holdback Amount\* \$0.00

### Disbursement Schedule for Vioxx Claimant

Other Govt. Program Holdback %\* 0.00%

Other Govt. Program Holdback Amount\* \$0.00

**Total Private Lien Resolution Program Obligations (Not Deducted From Interim Payment):** \$27,975.15

**IMPORTANT:** Private medical liens have been resolved to the extent itemized below. Potential liens or other obligations not itemized are the sole responsibility of the client.

**IMPORTANT:** In the event a lien has been asserted or an obligation to repay identified but the final repayment amount has not been negotiated, some or all of the final settlement check, as itemized below, has been withheld to satisfy such potential lien or obligation.

% 15.00%

PRLP Holdback Amount: \$27,975.15

[Provider Name] \$0.00

[Provider Name] \$0.00

[Provider Name] \$0.00

[Provider Name] \$0.00

**Total Non-Private Lien Resolution Program Lien Obligations (Not Deducted from Interim Payment):** \$0.00

**IMPORTANT:** If a lien has been resolved with a Provider outside of the Private Lien Resolution Program, enter the lien amounts below or the percentage being withheld pending resolution of each lien.

[NAME OF PROVIDER] \$0.00

[NAME OF PROVIDER] \$0.00

[NAME OF PROVIDER] \$0.00

% Holdback 0.00%

Holdback Amount \$0.00

**Other Proper Liens or Withholdings (Not Deducted From Interim Payment):** \$0.00

Obligation 1: \$0.00

Obligation 2: \$0.00

**Total Liens, Costs & Expenses Withheld from Interim Payment** \$0.00

**Step 6:** Calculate the Final Check Amount to Claimant by subtracting Attorneys' Fees, Costs/Expenses, Total Government Lien Obligations, Total Private Lien Resolution Program Obligations, Total Non-Private Lien Resolution Program Lien Obligations, and Other Withholdings:

**Final Check Amount to Claimant:** \$44,892.52