

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

**In Re: Oil Spill by the Oil Rig “Deepwater  
Horizon” in the Gulf of Mexico, on  
April 20, 2010**

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**MDL No. 2179**

**SECTION: J**

**JUDGE BARBIER**

**This Document Relates to:  
All cases, including 12-970 & 12-968**

**MAG. JUDGE SHUSHAN**

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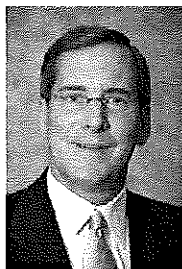
**ORDER**

**[Intent to Appoint John W. Perry, Jr. as Special Master]**

On July 15, 2015, the Court issued Pretrial Order No. 59, also known as the “Initial Fee Order,” which established guidelines for common benefit attorneys’ fees and cost reimbursement. (Rec. Doc. 14863). Paragraphs 32 and 34 of the Initial Fee Order contemplated that the Court might appoint a Special Master to consider and report on the Common Benefit Fee and Cost Committee’s (“FCC”) Allocation Recommendation and any objections or comments to same. In accordance with Federal Rule of Civil Procedure 53(b)(1), the Court hereby gives notice of its intent to appoint John W. Perry, Jr. to serve as Special Master as contemplated in the Initial Fee Order. Mr. Perry’s curriculum vitae is attached to this Order as Exhibit A. An affidavit by Mr. Perry disclosing any ground for disqualification under 28 U.S.C. § 455 is attached to this Order as Exhibit B. *See* Fed. R. Civ. P. 53(b)(3)(A). Any response to this appointment shall be filed by Wednesday, July 27, 2016. This Court retains all authority and jurisdiction as to the final decisions of awards and allocations of awards for common benefit fees and reimbursement of expenses.

New Orleans, Louisiana, this 20th day of July, 2016.

  
United States District Judge



**John W. Perry, Jr.** | [perry@pbmbllc.com](mailto:perry@pbmbllc.com) | (225) 767-7730

John Perry attended Nicholls State University, where he was the starting point guard and captain of the basketball team. Balancing athletics with academics, he graduated *magna cum laude* from the College of Business Administration in 1976. He then attended LSU Law School, where he was elected to the Moot Court Board. He graduated in 1978 and was later inducted into the Hall of Fame.

John has served in almost every capacity possible in the field of civil practice. He has practiced both as a civil defense attorney and as a plaintiff's attorney, earning the unusual distinction of serving on both the Louisiana Association of Defense Counsel Board of Directors and the Louisiana Trial Lawyers Association Board of Governors. He is a member of many professional organizations, including the prestigious American College of Trial Lawyers. John previously taught as an Adjunct Professor of Law at LSU. He has served as a Special Master and Court-Appointed Mediator in federal and in state court. The federal court (The Honorable Carl J. Barbier) in the Deepwater Horizon case chose him to recommend a plan to allocate a settlement totaling \$2.3 billion. Furthermore, the federal court (The Honorable Jesse M. Furman) appointed him as Special Master to implement the settlement in the General Motors LLC Ignition Switch Litigation, a case which John had previously mediated. Finally, the Louisiana Supreme Court appointed him to serve as a Judge Pro Tempore.

### **Alternative Dispute Resolution Experience**

Although John continues to try select cases, his principal focus today is as a mediator, arbitrator, and Special Master. In addition to being a partner in the law firm of Perry, Balhoff, Mengis & Burns, he is a founding principal of the mediation firm of Perry Dampf Dispute Solutions, where he is responsible for the selection and training of the mediator panel.

John has served as mediator, arbitrator, and/or Special Master in over 4,500 cases since 1995. Over the last ten years, John has devoted an increasing amount of his time to complex cases. These include:

- *In re: General Motors LLC Ignition Switch Litigation*, MDL No. 2543 (S.D.N.Y. J.P.M.L.) (mediator and Special Master)
- *In re: Aredia and Zometa Products Liability Litigation*, MDL No. 1760 (M.D. Tenn. J.P.M.L.) (mediator)
- *In re: Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico, on April 20, 2010*, MDL No. 2179 (E.D. La. J.P.M.L.) (Court-Designated Neutral)
- *In re: Genetically Modified Rice Litigation*, MDL No. 1811 (E.D. Mo. J.P.M.L.) (mediator)
- *In re: FEMA Trailer Formaldehyde Products Liability Litigation*, MDL No. 1873 (E.D. La. J.P.M.L.) (mediator)
- *In re: Chinese-Manufactured Drywall Products Liability Litigation*, MDL No. 2047 (E.D. La. J.P.M.L.) (mediator and Special Master)
- *In re: Coloplast Corp. Pelvic Support Systems Products Liability Litigation (Vaginal Mesh)*, MDL No. 2387 (S.D.W.Va. J.P.M.L.) (mediator)

**EXHIBIT "A"**

- *In re: Pradaxa (Dabigatran Etexilate) Products Liability Litigation*, MDL No. 2385 (S.D. Ill. J.P.M.L.) (mediator)
- *In re: Yasmin and Yaz (Drospirenone) Marketing, Sales Practices and Products Liability Litigation*, MDL No. 2100 (S.D. Ill. J.P.M.L.) (mediator)
- *Patrick Joseph Turner, et al. v. Murphy Oil USA, Inc. (Murphy Oil Spill)*, 05-4206 (E.D. La.) (mediator)
- *Terral Evans, et al. v. TIN, et al. (Bogalusa Fish Kill)*, 2:11-0267 (E.D. La.) (mediator)
- *Mass Depakote Litigation*, 12-52, etc. (S.D. Ill.) (mediator)
- *Ian Pollard, et al. v. Remington Arms Co., et al.*, 4:13-00086 (W.D. Mo.) (mediator)
- *Medtronic Infuse Litigation* (multiple jurisdictions) (mediator)
- *In re: Vulcan Litigation – April 2001 Incidents*, 69,388 (La. 23<sup>rd</sup> J.D.C.) (Special Master)
- *Avandia Deceptive Marketing Litigation* (multiple jurisdictions) (mediator)
- *Jane Doe No. 1, et al. v. The Johns Hopkins Health System Corporation, d/b/a The Johns Hopkins Hospital, et al.*, 24-C-13-00141 (Md. Baltimore City Cir. Ct.) (mediator)

In addition to the above non-exclusive list, John has also mediated other mass/class cases which he cannot disclose due to requests for confidentiality.

### **Memberships, Honors, Professional Associations**

Louisiana Association of Defense Counsel, Board of Directors • Louisiana Trial Lawyers Association, previously served on Board of Governors • Dean Henry George McMahon Inn of Court, Master • American College of Civil Trial Mediators • American College of Trial Lawyers, Fellow • American Board of Trial Advocates, Associate • Graduated Magna Cum Laude from Nicholls State University Undergraduate • Phi Kappa Phi Honor Society • Wall Street Journal Award for Outstanding Senior in College of Business Administration • Nicholls State University Hall of Fame • All Gulf South Conference Academic Team and Basketball Team Captain • Moot Court Board • LSU Law School Hall of Fame • AV rating from Martindale-Hubbell for legal ability and adherence to professional standards of ethics • Academy of Court Appointed Masters • LSU Law School Adjunct Professor • LADC Annual Trial Academy, Faculty • LSU Law Center Trial Academy, Faculty • Lectured at LSU, Louisiana Association of Defense Counsel, State Bar Association, and Local Bar Association seminars

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

In re: Oil Spill by the Oil Rig  
“Deepwater Horizon” in the  
Gulf of Mexico, on April 20, 2010

MDL NO. 2179  
SECTION “J”

This Document Relates to:

JUDGE BARBIER

*All Cases (including, particularly,  
Nos. 12-968 and 12-970)*

MAGISTRATE JUDGE SHUSHAN

**AFFIDAVIT OF JOHN W. PERRY, JR.**

STATE OF LOUISIANA

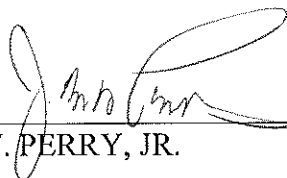
PARISH OF EAST BATON ROUGE

JOHN W. PERRY, JR., being duly sworn, deposes and says:


1. I am an attorney at law licensed in the State of Louisiana (in good standing).
2. I am a founding member and partner in the law firm of Perry, Balhoff, Mengis & Burns, LLC and the Alternative Dispute Resolution firm Perry Dampf Dispute Solutions.
3. I received my law degree from Louisiana State University. A copy of my curriculum vitae is attached hereto as Exhibit 1.
4. I have been appointed Special Master and Mediator in state and federal cases over the past 20 years, including Multidistrict Litigation. I was earlier appointed by the United States District Court for the Eastern District of Louisiana in the *Deepwater Horizon* case as a court-appointed neutral responsible for developing and implementing a plan to allocate settlement funds totaling \$2.3 billion.

**EXHIBIT "B"**

5. I am a member of the American College of Trial Lawyers as well as the American College of Civil Trial Mediators, as well as multiple other professional organizations.
6. I have familiarized myself with the issues involved in the Multidistrict Litigation captioned above.
7. Primarily in the course of my mediation practice, I have served as mediator in many cases involving the attorneys who will be asserting fee claims in this matter. I will be happy to answer any questions or make further disclosures regarding my involvement with those attorneys in the prior cases although I have not kept specific records over the years for purposes of a disclosure such as this.
8. I attest and affirm that there are no non-disclosed grounds for disqualification under 18 U.S.C. § 455 that would prevent me from serving as Special Master in the above captioned matter.

  
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JOHN W. PERRY, JR.

Sworn to before me this 19<sup>th</sup> day of  
July, 2016.

  
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NOTARY PUBLIC  
Daniel J. Balhoff (18776)