

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

IN RE: BLUE CROSS BLUE SHIELD
ANTITRUST LITIGATION
(MDL No.: 2406)

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Master File No.: 2:13-CV-20000-RDP

This document relates to all cases.

ORDER APPOINTING SPECIAL MASTER

Pursuant to Federal Rule of Civil Procedure 53, and in the exercise of the court’s general powers and responsibilities over class actions, and with the agreement of the parties, the court hereby **APPOINTS** Edgar C. Gentle, III to serve as a Special Master in this action. The Special Master will consult with the court generally and specifically as to the procedures to be followed and the judicial decisions to be made in carrying out the following functions in these consolidated cases:

1. Selection of Interim Lead Class Counsel and the terms under which such counsel shall serve;
2. Organizational structure of Interim Class Counsel, including, without limitation, whether there should be two separate leadership of tracks (and a liaison between them), the appointment of an Interim Plaintiffs’ Steering Committee, and the organizational and operational structure of Plaintiffs’ Counsel;
3. Development and maintenance of a uniform system of Plaintiffs’ counsel time keeping and expense recordation, so that it is fair and efficient;
4. Establishment and maintenance of a Plaintiffs’ counsel common litigation fund, and the provision of accounting and related support;

5. Determination of what actual disbursements should be made from the common litigation fund as reimbursement and payment to “common benefit attorneys.” (See *Manual for Complex Litigation Third*, § 24.23); and

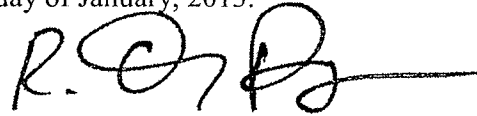
6. Other matters related to the organization and operations of Interim Class Counsel.

The Special Master will receive compensation (presently set at \$250.00 per hour) and reimbursements for expenses as directed by the court. Payments will be made from the common litigation fund or from such other sources as may be directed in the future by the court. In addition, the actions of the Special Master (and the employees or agents of the Special Master) in carrying out the duties established by this and any subsequent orders will constitute judicial actions of this court and be protected to the maximum extent allowable by law, by the doctrine of judicial immunity.

The Special Master is further explicitly allowed to (and is expected to) consult with such persons as he may choose in carrying out his duties.

The court reserves the power to modify the terms of this order.

DONE and **ORDERED** this 9th day of January, 2013.



R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE