

IN THE CIRCUIT COURT OF WOOD COUNTY, WEST VIRGINIA

JACK W. LEACH, ET AL.,

Plaintiffs,

v.

CIVIL ACTION NO. 01-C-608
(Judge Beane)

E. I. DU PONT DE NEMOURS AND COMPANY,

Defendant,

ORDER APPOINTING DIRECTOR OF MEDICAL MONITORING
AND UTILIZATION OF BROOKMAR, INC.

Now come the parties hereto by counsel, pursuant to a Joint Motion Seeking Court Appointment of Director of Medical Monitoring for the purpose of overseeing and implementing the day-to-day administration of any Medical Monitoring Protocol that may be recommended in this matter. After due consideration of this Motion, the Court finds that there is a need in this matter for the efficient and fair administration of any Medical Monitoring Protocol that may be recommended by the Medical Panel established under the terms of the Class Action Settlement Agreement approved by the Court in February 2005 (the "Settlement Agreement") and that Michael Rozen, Esq. does have the necessary competence and experience required to perform this task.

It is therefore **ORDERED** that Michael Rozen, Esq. be hereby appointed as Director of Medical Monitoring in this matter (hereinafter "Director") and that the Director is empowered by this Court to oversee the implementation of Medical Monitoring for Class Members encompassed within the scope of any Medical Monitoring Protocol that is recommended by the Medical Panel under the Settlement Agreement (hereinafter "Recommended Protocol").

ENTERED
The Clerk's Office No. 293
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CAROLE JONES
CLERK CIRCUIT COURT

Director is hereby invested with only such discretion and authority as is necessary to carry out this task in the manner that is most fair, efficient, and fully consistent with the terms of the Settlement Agreement and with the Recommended Protocol, and shall, as part of his duties, contract through The Garden City Group Inc., Administrator of the Settlement Agreement (the "Administrator"), for any such services, such as testing, as may be authorized or otherwise encompassed within any such Recommended Protocol in the manner that is most fair and efficient and fully consistent with the Settlement Agreement and Recommended Protocol. Nothing stated herein shall provide the Director with any authority or discretion of any kind to alter, change, or modify any aspect of the Recommended Protocol or Settlement Agreement, or to prohibit, impair, or delay any Class Member access to or reimbursement for any testing or other services authorized or otherwise encompassed within the Recommended Protocol, which would otherwise be permitted under the Settlement Agreement.

As part of this work, the Director shall prepare and submit to the parties and to this Court a proposed annual budget each year which shall set forth the projected costs for the services of the Director for the coming year. Either party may file with the Court any objection to that budget within fifteen (15) days of receipt of such budget at which time this Court shall conduct a hearing on any such objection. In the absence of any such objection, the budget filed by the Director shall be approved by this Court and implemented by the Director without further Order of this Court.

The Director shall also contract through the Administrator for the services of Brookmar Inc. of West Virginia for a minimum of two years after release by the Medical Panel of the Recommended Protocol for the purpose of providing appropriate notice and information to

Class Members as directed by the Director of the details and the availability of the services provided through the implementation of the Recommended Protocol. The Director shall utilize the services of Brookmar Inc to help insure that Class Members are provided with a fair, efficient, and equitable opportunity to avail themselves of any services encompassed within the Recommended Protocol, consistent with the Settlement Agreement.


The Director shall provide a monthly status report of his work and the results of his work (and the work of Brookmar Inc. hereunder) to the parties through the Administrator. In such reports, the Director shall, at a minimum, advise the parties of the number of Class Members availing themselves of services encompassed within the Recommended protocol and the extent of such participation, and also provide the total expenditures for each month and for year-to-date from the Medical Monitoring Fund for Class Members' testing.

Nothing herein is intended to reclassify any costs otherwise characterized as Monitoring Funds costs under the Settlement Agreement as costs of the Administrator.

Both the Director and Brookmar Inc. shall submit monthly invoices for fees and expenses to the Administrator for review and approval. Upon approval by the Administrator, such invoices shall be forwarded to defendant DuPont for prompt payment thereof.

The Clerk is directed to send copies of this Order to all counsel of record.

ENTER this 20th day of November 2012.

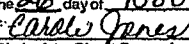


J.D. BEAN, Judge

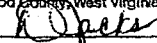
STATE OF WEST VIRGINIA
COUNTY OF WOOD, TO-WIT:

I, CAROLE JONES, Clerk of the Circuit Court of Wood County, West Virginia, hereby certify that the foregoing is a true and complete copy of an order entered in said Court, on the 20 day of Nov, 2012 as fully as the same appears to me of record.

Given under my hand and seal of said Circuit Court, this the 20 day of Nov, 2012

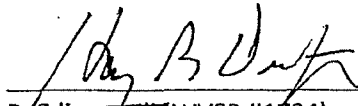


Clerk of the Circuit Court of
Wood County, West Virginia

By: , Deputy

01-C-608

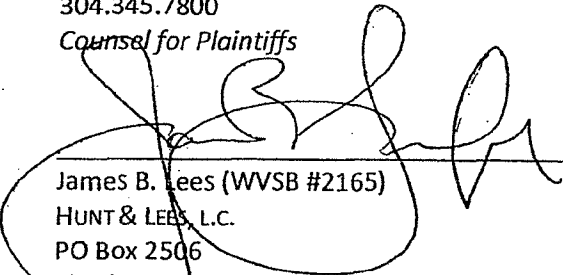
PRESENTED AND APPROVED BY:



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