

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: BAYCOL PRODUCTS LITIGATION

MDL No. 1431

(MJD)

This Document Relates to All Actions

Pretrial Order No. 136

IT IS HEREBY ORDERED:

1. Peter H. Woodin is appointed under Rule 53 of the Federal Rules of Civil Procedure as Special Master to moderate settlement conferences in this MDL Proceeding.
2. The Special Master does not act as an advocate, representative, fiduciary, or counsel for any party and has no formal coercive authority to make any binding decisions or recommendations or to compel the making of any agreement or the granting of any concession, except as specified in the Orders of this Court or permitted under Federal Rule of Civil Procedure 53.
3. The Special Master may communicate with the Court at the Special Master's discretion without providing notice to the parties.
4. The fee for the Special Master shall be \$400 per hour. This fee shall be paid to the Special Master upon receipt of the Special Master's invoice. The fee shall be borne by the mutual agreement of the parties. In the event the parties are not able to agree, after due notice and hearing, the Court shall allocate responsibility for the payment of the Special Master's fee amongst the parties.

SO ORDERED this 28th day of December, 2004.

/sMichael J. Davis
Honorable Michael J. Davis
United States District Court