

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

IN RE: 3M COMBAT ARMS)	Case No. 3:19-md-02885
EARPLUG PRODUCTS LIABILITY)	
LITIGATION)	Judge M. Casey Rodgers
)	
)	Magistrate Judge Hope T. Cannon
This Document Relates to:)	
All Cases)	
_____)	

**ORDER OF APPOINTMENT
(Settlement Special Master)**

In accordance with the terms of the Combat Arms Master Settlement Agreement (“MSA”), and pursuant to Federal Rule of Civil Procedure 53, the Court hereby enters this Order Appointing Settlement Special Master.¹ This Order outlines the Settlement Special Master’s role, obligations and duties under the MSA.

1. Consistent with the parties’ agreement, the Court appoints John W. Perry, Jr. as Settlement Special Master.

2. The Settlement Special Master is appointed to decide potential disputes between the parties concerning the MSA regarding the following topics:²

- a. Challenges to the Identification Order Report;
- b. Challenges to the Calculation of Participation Levels;

¹ The Combat Arms Master Settlement Agreement is available on the Court’s public website for the 3M MDL, <https://www.flnd.uscourts.gov/3m-products-liability-litigation-mdl-no-2885>.

² This list may be amended by Court order on agreement of the parties.

- c. Satisfaction of Clean Docket Bonus;
- d. Calculation of Amounts due to the QSF by the Reserve Fund; and
- e. Disputes over validity of releases.

3. The Settlement Special Master's decisions over these disputes are final and non-reviewable or appealable.

4. The Settlement Special Master shall serve until he certifies to the Court, after consultation with the parties, that there are no further disputes that he will be asked to resolve in accordance with this appointment.

5. The Settlement Special Master must maintain normal billing records of time spent on this matter with reasonably detailed descriptions of his activity, and he should incur only such fees and expenses as may be reasonably necessary to fulfill his duties under this Order and his agreement with the parties. Fees and expenses of the Settlement Special Master will be shared equally by both sides.

6. Within seven days of the date of this Order, the Settlement Special Master must file an affidavit disclosing whether there is any ground for disqualification under 28 U.S.C. § 455.

DONE AND ORDERED on this 29th day of August, 2023.

M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE