

## **MDL 2804 Contingent Fee Fund- Settling Distributor/Janssen Contact Counsel Payment Eligibility Requirements**

Specific criteria must be met for each eligible Subdivision in order for Contact Counsel to be eligible to receive payment of a contingency fee award by the Fee Panel in the National Distributor/Janssen settlements.

The following criteria must be satisfied for each eligible Subdivision for the applicable settlement (Distributor, Janssen):

- Participating in the Settlement.
- Listed on Exhibit C of the Settlement Agreement.
- Listed on Exhibit G of the Settlement Agreement.
- The associated Contingent Fee Fund Application must have been submitted by the September 30, 2022 application deadline, unless given approval otherwise by the Fee Panel.
- The associated Contingent Fee Fund Application has been approved by the Fee Panel.
- All associated application deficiencies have been timely cured.

ACH transfers will be made each payment year to Contact Counsel by state for the eligible subdivisions Contact Counsel represents in a given state. The criteria below must be met for each subdivision in each payment year in a given state for the applicable settlement (Distributor, Janssen) in order for the ACH transfer to be authorized.

- All associated Contact Counsel and Fee Interest Counsel annual certifications have been completed.
- The associated annual 15-Day Client Notice Period has expired without dispute or all client disputes have been resolved.
- There are no associated outstanding items raised with the Fee Panel.
- No associated payment holds have been applied.
- Valid ACH banking details have been provided by Contact Counsel.
- Payment values have been approved without objections from Contact Counsel or the 28-day payment value notice period has expired.
- Contact Counsel is the account holder for the bank account provided.
- The details of the IRS Form W-9 provided match the banking details (i.e. The firm name listed on the W-9 matches the firm name provided with the banking information).