

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
Southern Division**

In re: SILICONE GEL BREAST)	Master File CV 92-P-10000-S
IMPLANT PRODUCTS LIABILITY)	
LITIGATION (MDL-926))	(Applies to all cases)
FRANCESCA BUTLER, et al.,)	
Plaintiffs;)	
)	
-vs.-)	Case No. 93-P-11433-S
)	
MENTOR CORPORATION, et al.,)	
Defendants.)	

 This Order also applies to the following cases in the United States Bankruptcy Court for the District of Minnesota (Fourth Division): BKY 4-93-02600; BKY 4-93-02603; and BKY 4-93-02604

**ORDER NO. 33
(Proposed Distribution Plan for Mentor and Bioplasty Settlement Funds)**

It is hereby ORDERED as follows:

1. The Court hereby approves the attached Notice of Proposed Distribution Plan for the Mentor and Bioplasty Settlement Funds, including the attached Claim Form.

2. The Notice and Claim Form will be mailed by the Claims Office by first-class mail to all persons (or their counsel) who have indicated—either through registrations or other communications with the Claims Office or by filing proof of claims in the Bioplasty bankruptcy reorganization proceedings in the Bankruptcy Court for the District of Minnesota—that they may have received breast implants (or tissue expanders) from any of the Mentor Defendants or Bioplasty Defendants. To reduce mailing costs that would be chargeable against the Mentor and Bioplasty settlement funds—

- if the implant recipient has indicated that she is being represented by an attorney and has provided the attorney’s name and address, the Claims Office may send the Notice and Claim Form only to the attorney

- the Claims Office may send only a single copy of the Notice and Claim Form to an attorney, even if the attorney represents many implant recipients. Attorneys to whom a Notice and Claim Form are sent will be responsible for reproducing and distributing additional copies to their clients who may have been implanted with one or more Mentor or Bioplasty implants or tissue expanders. **Counsel are cautioned, however, that, for a claimant to participate in distribution of the Mentor and Bioplasty settlement funds, a completed claim form, signed by the claimant (and not by her attorney), must be returned to the Claims Office (not the Court) in time to be received by 5 p.m., CST, December 16, 1996.**

3. The Court will hold a hearing in Birmingham, Alabama, at 9:00 am, October 11, 1996, in the Hugo Black Federal Courthouse, Birmingham, Alabama, to determine whether or not to approve the proposed plan as outlined in the Notice. Any objections (including any requests to appear or be heard orally at the hearing) must be filed in writing with the Court (not with the Claims Office), postmarked by September 30, 1996.

This the 26th day of July, 1996.

/s/ Sam C. Pointer, Jr.
Chief Judge