

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

In re:)
SILICONE GEL BREAST IMPLANT) Master File No. CV 92-P-10000-S
PRODUCTS LIABILITY LITIGATION)
(MDL 926))

FRANCESCA BUTLER, et al.,)
)
Plaintiffs,)
)
-vs.-) Civil Action No. CV 93-P-11433-S
)
MENTOR CORPORATION, et al.,)
)
Defendants.)

ORDER NO. 33B
MENTOR SETTLEMENT FUND
LOAN REPAYMENT ORDER

By Order entered April 14, 1994, the Plaintiffs' National Steering Committee (the "PSC") was loaned \$1 million from the Mentor Settlement Fund. Of the amount loaned to the PSC, \$310,415.29 has been substantiated by the PSC as costs incurred on behalf of the Mentor Settlement Fund, in a submission made to the Court on October 16, 1996, leaving a principal loan balance of \$689,584.71.

The Court takes judicial notice of the Applicable Federal Rate ("AFR") under the Internal Revenue Code of 1986 for loans without a stated interest rate. Application of the AFR to the principal loan balance from the date of the loan through December 31, 1996, results in interest equal to \$117,016.04, for a total loan balance of \$806,600.75.

Accordingly, the Court hereby ORDERS and DIRECTS the Common Benefit Litigation Expense Fund, on behalf of the PSC, to pay the loan balance of \$806,600.75 to the Mentor Settlement Fund, on or before January 15, 1997.

This the 10th day of December, 1996.

/s/ Sam C. Pointer, Jr.
Sam C. Pointer, Jr.
United States District Court Chief Judge