

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION)	CASE NO. 1:17-MD-2804
OPIATE LITIGATION)	
)	David R. Cohen
THIS DOCUMENT RELATES TO:)	Randi S. Ellis
“All Cases”)	Hon. David R. Herndon
)	
)	<u>FEE PANEL ORDER NO. 51</u>
)	<u>REGARDING APPLICATIONS</u>
)	<u>FOR “ROUND TWO” COMMON</u>
)	<u>BENEFIT FEE FUND AWARDS</u>

In April of 2022, the Fee Panel opened the application process for awards from the Common Benefit Fee Funds established by the “Big Three” Distributors and Janssen Settlement Agreements. *See* Fee Panel Order no. 1 (docket no. 4360). The process was later expanded to include applications for awards from Common Benefit Fee Funds established by additional Settlement Agreements with Teva, Allergan, CVS, Walmart, and Walgreens. *See* Fee Panel Order no. 24 (docket no. 5110). This process eventually culminated in recommendations by the Fee Panel to the MDL Court for allocation of Common Benefit Fee Awards to 93 attorney-applicants. *See* Fee Panel Order no. 32-A (docket no. 5476). The Court then issued final allocations of what has since been referred to as “Round One” Common Benefit Fee Awards. *See* docket no. 5520 (July 11, 2024).

Since that time, several other defendants have entered into global Settlement Agreements that include Common Benefit Funds. In addition, various defendants have entered into numerous smaller

settlements that have yielded payments into the Court Common Benefit Fund. *See* docket no. 4428 (requiring payment into the Court Common Benefit Fund of 7.5% of certain settlements).

Accordingly, the Fee Panel concludes it is appropriate to open the application process for “Round Two” Common Benefit Fee Fund Awards. The Fee Panel has engaged Rubris Inc. to process Round Two Common Benefit Fee Fund Applications through its Crosslink system. All Round Two applications must be submitted using the Rubris Crosslink system.¹ **The deadline for submission of the application and associated materials is June 1, 2026.**

Any attorney who wishes to apply for a Round Two Common Benefit Fee Award must request access to the online application. To request access, counsel must send an email to CrosslinkSupport@rubris.com with the email subject: “Request for Access to Round Two Common Benefit Application.” The email must provide the name, law firm, and email address for each individual seeking access. At least one attorney must be specified as the account administrator for the law firm and should be identified in the request.

Pursuant to the MDL Court’s Amended Protocols for Common Benefit Work Performed and Expenses Incurred (docket no. 5359), any law firm intending to apply for an award should have *already submitted* their common benefit time reports to the Auditor. This includes time pursuing opioid claims outside of this MDL. Therefore, unlike with Round One, there will be no separate common benefit time submission as part of the Round Two application process. Counsel who wish to supplement their previously submitted common benefit time must seek prior leave from the Fee Panel and show good cause as to why the time was not timely submitted. When submitting the Round Two

¹ After obtaining access and logging into Crosslink, the applicant should navigate to the *Tasks* page from the left panel. There will be a single Round Two Common Benefit Fee Application task for your firm. Click *Start* to begin.

application, Counsel shall not resubmit previously submitted time.

The Fee Panel will construe an applicant's Round Two Common Benefit Fee application as a supplement to that applicant's Round One Common Benefit Fee application. When determining Round Two Common Benefit Fee Awards, the Fee Panel will consider contributions to the common benefit recognized by a Round One Common Benefit Fee Award. Accordingly, a Round One Fee Award recipient who did not perform any additional common benefit work does not need to submit a Round Two application to be eligible for a Round Two Fee Award.

IT IS SO ORDERED.

/s/ *David R. Cohen*
Randi S. Ellis
David R. Herndon
FEE PANEL

Dated: May 1, 2026