

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
SECOND JUDICIAL DISTRICT

MARIA CUMMINGS, INDIVIDUALLY AND
AS PERSONAL REPRESENTATIVE OF THE
ESTATE OF SHAWN MICHAEL CHAVEZ,
on behalf of herself and all others similarly situated,

Plaintiffs,

vs.

Cause No. D-202-CV-2001-00579
(as consolidated with
Cause No. D-202-CV-2001-01409)

BOARD OF REGENTS OF THE UNIVERSITY
OF NEW MEXICO, a body corporate of the State of
New Mexico, for itself and its public operations including
UNIVERSITY OF NEW MEXICO HEALTH SCIENCES
CENTER and its components the UNIVERSITY OF NEW
MEXICO HOSPITAL and UNIVERSITY OF NEW MEXICO
SCHOOL OF MEDICINE,

Defendants.

**ORDER ON CLASS PLAINTIFFS' REQUEST FOR
AN ORDER ALLOWING WITHDRAWAL
FROM NET SETTLEMENT FUND**

THIS MATTER came before the Court on Plaintiffs' Submission of Proposed Plan of Distribution of Net Settlement Fund and Request for an Order Allowing Withdrawal from New Settlement Fund ("Request"). The Court, having reviewed the Request and Defendant's Limited Opposition to Distribution Payments ("Limited Opposition"), and being fully advised, ORDERS:

- A. The Plan of Distribution is approved.
- B. Class Counsel, Joseph Goldberg and/or Jacob Vigil, and Angeion Group LLC, are directed to effect the withdrawal of \$ 22,154,114.82 from the Pediatric Cancer Settlement Fund, deposited with Huntington Bank in Philadelphia, Pennsylvania,

and to take all steps necessary to effect that withdrawal in order to distribute the entire funds to class members for whom claims are finally approved.

- C. The withdrawn funds shall be distributed in accordance with the approved Plan of Distribution.


JUDGE DANIEL E. RAMCZYK
DIVISION VI

Dated: March 13, 2023

RESPECTFULLY SUBMITTED BY:

FREEDMAN BOYD HOLLANDER &
GOLDBERG P.A.

/s/ Joseph Goldberg
Joseph Goldberg
20 First Plaza NW, Suite 700
Albuquerque, NM 87102
(505) 842-9960; Fax: (505) 842-0761
jg@fbdlaw.com

VIGIL LAW FIRM, P.A.
Jacob G. Vigil, Esq.
Alexandra Cervantes
2014 Central Avenue SW
Albuquerque, NM 87104
(505) 243-1706; Fax: (505) 842-1848
jake@zlaws.com
alexandra@zlaws.com

and

BERTRAM LAW GROUP
Catherine D. Bertram
20 F Street NW, 7th Floor

Washington, D.C. 20001
(202) 803-5800
katie@blg-dc.com

Attorneys for Plaintiffs

ALL PARTIES ENTITLED TO NOTICE

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

Nelson Franse
Leslie McCarthy Apodaca
Andrew Schultz
P.O. Box 1888
Albuquerque, NM 87103
(505) 765-5900
nfranse@rodey.com
lapodaca@rodey.com
aschultz@rodey.com

MCDERMOTT, WILL & EMERY, LLP

Thomas Ryan
Jessica J. Thomas
2049 Century Park East, Suite 3200
Los Angeles, CA 90067
(310) 277-4110
tryan@mwe.com; (310) 551-9326
jthomas@mwe.com; Direct: (310) 284-6171
*Attorneys for Defendant Board of Regents
of the University of New Mexico*

FREEDMAN BOYD HOLLANDER
& GOLDBERG, P.A.

Joseph Goldberg
20 First Plaza NW, Suite 700
Albuquerque, NM 87102
(505) 842-9960
jg@fbdlaw.com

VIGIL LAW FIRM, P.A.

Jacob G. Vigil, Esq.
Alexandra Cervantes
2014 Central Ave. SW
Albuquerque, New Mexico 87104
(505) 243-1706
jake@zlaws.com

BERTRAM LAW GROUP PLLC

Catherine D. Bertram

20 F Street NW, 7th Floor

Washington, D.C. 20001

(202) 803-5900

katie@blg-dc.com

Attorneys for Plaintiffs