

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Vikram Bhatia, D.D.S., et al., on behalf
of themselves and all others similarly
situated,

Plaintiffs,

v.

3M Company,

Defendant.

Case No. 0:16-cv-01304-DWF-DTS

**PLAINTIFFS' MOTION FOR
EARLY DISBURSEMENT OF
SETTLEMENT FUNDS TO SOME
CLAIMANTS, ACCEPTANCE AS
TIMELY CERTAIN CLAIMS
FILED AFTER THE DEADLINE,
AND FOR EXTENSION OF
SUPPLEMENTAL CLAIM
PERIOD**

Plaintiffs' Co-Lead Counsel and the Settlement Counsel Review Committee (collectively "the SCRC") respectfully move the Court to enter an Order approving the recommended awards and to order disbursement of a portion of the settlement proceeds in the above-referenced matter to certain fixed amount claimants for the amounts set forth in the list of Recommended Award Amounts.

This motion is based upon the pleadings, files, and records herein, including Plaintiffs' Co-Lead Counsel's Memorandum of Law in Support of Motion for Early Disbursement of Settlement Funds to Some Claimants, Acceptance as Timely Certain Claims Filed After the Deadline, and for Extension of Supplemental Claim Period, and supporting documents.

Dated: June 16, 2020

Respectfully submitted,

/s/ Daniel C. Hedlund

Daniel C. Hedlund (#258337)

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Plaintiffs' Interim Co-Lead Counsel

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

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of themselves and all others similarly
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3M Company,

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Case No. 0:16-cv-01304-DWF-DTS

**NOTICE OF HEARING ON
PLAINTIFFS' MOTION FOR
EARLY DISBURSEMENT OF
SETTLEMENT FUNDS TO SOME
CLAIMANTS, ACCEPTANCE AS
TIMELY CERTAIN CLAIMS
FILED AFTER THE DEADLINE,
AND FOR EXTENSION OF
SUPPLEMENTAL CLAIMS
PERIOD**

PLEASE TAKE NOTICE that the undersigned counsel will bring Plaintiffs' Motion for Early Disbursement of Settlement Funds to Some Claimants, Acceptance as Timely Certain Claims Filed After the Deadline, and For Extension of the Supplemental Claims Period, before The Honorable Judge Donovan W. Frank, by video, on June 23, 2020, at 10:30 AM, or as soon thereafter as counsel may be heard.

Dated: June 16, 2020

/s/ Daniel C. Hedlund

Daniel C. Hedlund (#258337)

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Vikram Bhatia, D.D.S., et al., on behalf
of themselves and all others similarly
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3M Company,

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Case No. 0:16-cv-01304-DWF-DTS

**MEMORANDUM IN SUPPORT
OF PLAINTIFFS' MOTION FOR
EARLY DISBURSEMENT OF
SETTLEMENT FUNDS TO SOME
CLAIMANTS, ACCEPTANCE AS
TIMELY CERTAIN CLAIMS
FILED AFTER THE DEADLINE,
AND FOR EXTENSION OF
SUPPLEMENTAL CLAIM
PERIOD**

INTRODUCTION

Plaintiffs' Lead Counsel moves to approve the recommended awards and to order disbursement of a portion of the Settlement Fund to certain dentists who have submitted Fixed-Amount Claims. The Claims Administrator, Brown Greer, with input from Lead Counsel, have approved these claims and thus no open issues remain. The specific amounts for disbursement are set forth in the list of "Recommended Award Amounts," attached as Exhibit A to the Declaration of Justin L. Wind ("Wind Dec."). Rather than wait to disburse funds until after all appeals have been completed, which could take months, Lead Counsel proposes a process by which partial, interim payments can be made until completion of the Documented Amount Claims and any appeals to Judge Boylan. Lead Counsel believes that a prompt disbursement of the funds is especially important in light of the substantial toll that dental practices have endured because of COVID-19 related shutdowns.

In addition, Plaintiffs' Lead Counsel seeks an order accepting as timely filed a small number of claims filed after the deadline and to extend the Supplemental Claim Period, Supplemental Claim filing period, and supplemental notice date to reflect the reality that dentist offices around the country have been closed for weeks due to the COVID-19 pandemic and dentists have been unable to see patients who may have debonded crowns.

Lead Counsel has conferred with counsel for 3M, who does not oppose the requested relief.

FACTUAL AND PROCEDURAL BACKGROUND

Plaintiffs brought this class action lawsuit against 3M Company (“3M”) for its sale of allegedly defective dental crowns, Lava™ Ultimate Restorative (“Lava Ultimate”) on May 16, 2016. Doc. No. 1. The Class Members sought reimbursement for the losses they incurred due to the crowns debonding.

The parties ultimately resolved the litigation. 3M agreed to provide a Settlement Fund of \$32.5 million, which would be distributed to the Class Members, pay for class notice and administration costs, pay class representative service awards, and pay class counsel’s attorneys’ fees and costs. Under the terms of the settlement, claimants had the option of submitting either a fixed claim amount of \$250.00 per debond (“Fixed Amount Claims”) or a “Documented Amount Claim” based on the claimant’s actual out-of-pocket losses.¹ The Fixed Amount Claim award of \$250.00/debond was intended as a starting point for calculating claim amounts, and the Plan of Distribution noted that the amount could increase or decrease depending on the number of claimants.

Plaintiffs established a Plan of Distribution which outlined the claims review process. Doc. No. 131-1. The Plan of Distribution included two claim periods. The first, the initial “Claim Period,” covers full or partial debonds that the Class Member repaired or paid to have repaired on or before May 10, 2019. Fifteen persons and entities filed claims after the expiration of the initial claim period, but the court deemed these claims timely. Doc No. 156. Since then, an additional fifteen claims have been filed and we ask that those

¹ Under the Documented Amount Claim option, the claimants must demonstrate their damages and loss through detailed records.

also be deemed timely and subject to review like all other claims. The second claim period, the “Supplemental Claim Period,” covers full or partial debonds that the Class Member repaired or paid to have repaired after May 10, 2019, and on or before June 15, 2020.² Each Class Member was to submit a Claim Form for any debonds that the Class Member repaired or paid to have repaired during the Claim Period and/or the Supplemental Claim Period. Each Class Member could claim either a Fixed Amount of \$250.00 per debond, a Documented Amount, or a combination of both. Wind Dec. ¶ 3. Documented Amount claims required documentation to show the amount of unreimbursed out-of-pocket loss. Regardless of documentation shown, a valid Documented Amount claim would not receive less than \$250.00.

Plaintiffs filed a Motion for Preliminary Approval on March 26, 2019. Doc. No. 128. The Court preliminarily approved the Settlement on April 10, 2019. Doc No. 136. Pursuant to the April 10, 2019 Order, the Court appointed the firm of BrownGreer to administer the claims process. BrownGreer has established a settlement post office box, established and maintained a settlement website, and established a toll-free number for Class Members to call for additional information or assistance. BrownGreer mailed direct notice to all potential Class Members on May 10, 2019. An additional direct class notice mailing was made on July 2, 2019, to all potential Class Members whose initial notices were returned, and for whom either a forwarding address was provided, or for whom

²As noted, Plaintiffs are seeking an extension of these dates as part of this motion.

BrownGreer was able to obtain an alternative mailing address. As of July 30, 2019, the direct notice campaign had reached 98.2% of all potential Class Members.

The Court entered final judgment of this matter on September 11, 2019, finally approving the settlement and a proposed notice plan. Doc. No. 156. The Notice Plan required the Claims Administrator to mail the Supplemental Notice and Supplemental Claim Form between June 15, 2020 and June 30, 2020, to Class Members whose claims accrued between May 10, 2019, and on or before June 15, 2020.

Due to the COVID-19 pandemic, many dental offices nationwide have been closed for a number of weeks. As such, Plaintiffs asks that the Supplemental Claim Period be extended by 12 weeks. BrownGreer recommends that the Supplemental Claim Period be extended to cover claims accrued between May 10, 2019, and on or before September 7, 2020. As such, BrownGreer recommends that the Supplemental Notice and Supplemental Claim Form be mailed during the time period between September 7, 2020 and September 22, 2020.

THE CLAIMS REVIEW PROCESS

BrownGreer, with assistance from Lead Counsel, has reviewed the Fixed Amount claims and determined that 249 of the 435 Fixed Amount claims can be paid immediately and without further review. Those 249 claims sought compensation for 17,114 debonds and represents \$4,278,500.00 of the Settlement Fund, assuming that \$250.00 is awarded for each Fixed Amount claim. Wind Dec. ¶ 5.

BrownGreer, Lead Counsel, and 3M have collectively developed a list of considerations to ensure that only proper claimants are being compensated for debonds that

are compensable under the settlement. The remaining Fixed Amount Claims are subject to further review for four different reasons:

1. Claims with purchase numbers that are materially higher than the purchase information indicated by the class data (i.e., distributor information and 3M's return data);
2. Claimants who assert they seated more crowns than they assert they had available;
3. Claimants who assert that they repaired more Lava Ultimate crown debonds than they claim to have seated; and
4. Claimants with excessively high debond rates. Wind Dec. ¶ 4.

The Claims Administrator will send Claimants that warrant further review under this criteria follow-up communications seeking explanation and/or further supporting materials. Lead Counsel expects those communications will be sent as soon as practicable but no later than July 2020.

As to the Documented Amount Claims, the Settlement Counsel Review Committee is in the final stages of its review of the 3,445 separate claims under the Documented Amount Option. When that review is complete, BrownGreer will notify the claimants promptly of the initial determinations. Lead Counsel expects to transmit such determinations as soon as practicable but no later than July 2020. Claimants whose claims are rejected in whole or in part have the option of submitting additional verification, in which case their claim will be reviewed again. If a dispute remains, the claimant has the option to submit the claim to Judge Boylan, who will make a final determination.

BrownGreer conducted an accounting which showed that the funds available to distribute exceeds the total submitted claim amounts. The Net Settlement Fund, after attorneys' fees, litigation expenses, service awards, and estimated administrative costs, is \$21,156,036.57. The funds available for the Initial Claims Period are \$19,040,432.91 and for the Supplemental Claim Period the available funds total \$2,115,603.66. BrownGreer determined that there are sufficient funds to cover all remaining debonds. Any funds remaining after the Initial and Supplemental Claim Periods will be distributed to the Fixed Amount Claimants on a proportional basis.

CONCLUSION

To disburse the payments quickly in light of the current economic downturn, Lead Counsel respectfully moves the Court to authorize BrownGreer to authorize disbursement of \$4,278,500.00 to the Fixed Amount claimants as soon as practicable. In addition, Lead Counsel asks that the Court approve as timely certain claims filed after the deadline and extend certain deadlines related to the Supplemental Claim period.

Dated: June 16, 2020

Respectfully submitted,

/s/ Daniel C. Hedlund

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**RULE 7.1(f) COMPLIANCE
CERTIFICATE**

The undersigned hereby certifies that, pursuant to Local Rule 7.1(f), Plaintiffs' Memorandum of Law in Support of Plaintiff's Motion for Early Disbursement of Settlement Funds to Some Claimants, Acceptance as Timely Certain Claims Filed After the Deadline, and for Extension of Supplemental Claim Period contains 1,418 words, as determined through the word count feature of the Microsoft Office Word 2016 word processing software used to prepare the memorandum. The word processing program has been applied specifically to include all text, including headings, footnotes, and quotations. The memorandum was prepared in 13-point font in accordance with the type size limitation of Local Rule 7.1(h).

Dated: June 16, 2020

/s/ Daniel C. Hedlund

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**DECLARATION OF JUSTIN L. WIND
REGARDING ELIGIBLE FIXED AMOUNT CLAIMS**

I, JUSTIN L. WIND, hereby declare and state as follows:

I. INTRODUCTION

1. *Personal Information.* My name is Justin L. Wind. I am Counsel at BrownGreer PLC, located at 250 Rocketts Way, Richmond, Virginia 23231 (“BrownGreer”), the Claims Administrator in this matter.

2. *The Capacity and Basis of this Declaration.* I am over the age of 21. Unless otherwise noted, the matters set forth in this Declaration are based upon my personal knowledge, information received from the parties in this proceeding, and information provided by my colleagues at BrownGreer.

3. *Background.* In accordance with the Stipulation of Settlement, BrownGreer began accepting claim submissions on May 10, 2019 for the initial Claim Period covering full or partial debonds that the Class Member repaired or paid to have repaired on or before May 10, 2019. Class Members could submit claims electronically through the Settlement Website

or by completing and mailing a hard copy claim form to the mailing address established by the Claims Administrator.

Class Members had the option to submit three types of claims: (1) a Fixed Amount claim of \$250 per debond, requiring no documentation; (2) a Documented Amount claim whereby the Class Member must submit documented proof of unreimbursed out-of-pocket loss caused; or (3) a “mixed” claim for Fixed Amount debonds and Documented Amount debonds.

II. REVIEW OF FIXED AMOUNT CLAIMS

4. Claims Review Process. Counsel for the Parties established review guidelines in consultation with BrownGreer for the evaluation of Fixed Amount claims (the “Review Criteria”). The Review Criteria included, among other factors, (1) whether a claimant’s reported count of purchased Lava Ultimate blocks exceeded materially the sales information provided by 3M distributors and 3M product return data (the “Class Data”); and (2) whether a claimant asserted that it milled and seated more Lava Ultimate crowns from those purchased blocks than the Class Data showed were available to be milled and seated. The Review Criteria also considered the rate at which the Lava Ultimate crowns debonded compared to the total number of crowns seated.

5. Claim Outcomes. BrownGreer reviewed 435 claims containing at least one Fixed Amount debond. Of those, BrownGreer determined that 249 claims, representing 17,114 Fixed Amount debonds, satisfied the Review Criteria. Applying the fixed amount of \$250 per debond, the 249 eligible claims total \$4,278,500.00 in combined Fixed Amount debond settlement award value. Attached as Exhibit A to this Declaration is a list of the 249

claims, the number of Fixed Amount debonds associated with each claim, and the award amount for each claim using the \$250 per debond valuation.

I, Justin L. Wind, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing and the attached are true and correct to the best of my knowledge. Executed on this 15th day of June, 2020.

A handwritten signature in black ink, appearing to read "J. L. Wind", is written over a horizontal line.

Justin L. Wind

EXHIBIT A

	A	B	C
1	EXHIBIT A - 3M LAVA ULTIMATE ELIGIBLE FIXED AMOUNT CLAIMS		
2	CLAIMANT INFORMATION	CLAIM FORM DATA	
3	CONFIRMATION ID	FIXED AMOUNT DEBONDS	AWARD AMOUNT
4	112018387	4	\$1,000.00
5	114573703	19	\$4,750.00
6	120607017	153	\$38,250.00
7	138184250	35	\$8,750.00
8	138795701	55	\$13,750.00
9	151036503	436	\$109,000.00
10	155216894	400	\$100,000.00
11	155315637	109	\$27,250.00
12	156547632	35	\$8,750.00
13	165354377	49	\$12,250.00
14	170410843	228	\$57,000.00
15	174148194	123	\$30,750.00
16	179274665	6	\$1,500.00
17	191051031	50	\$12,500.00
18	191200998	11	\$2,750.00
19	197708909	79	\$19,750.00
20	207401860	306	\$76,500.00
21	214162376	20	\$5,000.00
22	216830957	4	\$1,000.00
23	217318651	67	\$16,750.00
24	220384225	29	\$7,250.00
25	223958100	4	\$1,000.00
26	224182054	5	\$1,250.00
27	231065970	18	\$4,500.00
28	231232962	6	\$1,500.00
29	232324746	5	\$1,250.00
30	232818485	50	\$12,500.00
31	233951050	23	\$5,750.00
32	234794971	480	\$120,000.00
33	238371196	20	\$5,000.00
34	240737266	4	\$1,000.00
35	246326919	77	\$19,250.00
36	251101449	19	\$4,750.00
37	255357199	30	\$7,500.00
38	262189873	3	\$750.00
39	265989410	31	\$7,750.00
40	266585555	22	\$5,500.00
41	269799355	150	\$37,500.00
42	276544644	10	\$2,500.00
43	277998442	25	\$6,250.00
44	279088093	5	\$1,250.00
45	282197297	22	\$5,500.00

	A	B	C
1	EXHIBIT A - 3M LAVA ULTIMATE ELIGIBLE FIXED AMOUNT CLAIMS		
2	CLAIMANT INFORMATION	CLAIM FORM DATA	
3	CONFIRMATION ID	FIXED AMOUNT DEBONDS	AWARD AMOUNT
46	289861189	6	\$1,500.00
47	294691783	96	\$24,000.00
48	296104063	166	\$41,500.00
49	301493036	74	\$18,500.00
50	305384201	5	\$1,250.00
51	310356842	205	\$51,250.00
52	316985131	238	\$59,500.00
53	319107776	10	\$2,500.00
54	327024207	11	\$2,750.00
55	327771908	33	\$8,250.00
56	330325781	5	\$1,250.00
57	332945607	38	\$9,500.00
58	335087555	2	\$500.00
59	342003585	45	\$11,250.00
60	346175199	262	\$65,500.00
61	346219770	177	\$44,250.00
62	346411667	30	\$7,500.00
63	353243887	25	\$6,250.00
64	361762106	93	\$23,250.00
65	371976322	19	\$4,750.00
66	372569408	13	\$3,250.00
67	376556242	6	\$1,500.00
68	376591194	30	\$7,500.00
69	381842160	3	\$750.00
70	390124591	12	\$3,000.00
71	392948036	6	\$1,500.00
72	397903462	16	\$4,000.00
73	398333602	45	\$11,250.00
74	400123623	58	\$14,500.00
75	403281612	36	\$9,000.00
76	405616707	50	\$12,500.00
77	408388496	10	\$2,500.00
78	408802482	119	\$29,750.00
79	412052286	216	\$54,000.00
80	413365685	25	\$6,250.00
81	421948657	28	\$7,000.00
82	424619255	8	\$2,000.00
83	429808336	17	\$4,250.00
84	430187865	9	\$2,250.00
85	430681758	36	\$9,000.00
86	431506642	56	\$14,000.00
87	432249903	23	\$5,750.00

	A	B	C
1	EXHIBIT A - 3M LAVA ULTIMATE ELIGIBLE FIXED AMOUNT CLAIMS		
2	CLAIMANT INFORMATION	CLAIM FORM DATA	
3	CONFIRMATION ID	FIXED AMOUNT DEBONDS	AWARD AMOUNT
88	432693240	8	\$2,000.00
89	444047413	27	\$6,750.00
90	451735937	10	\$2,500.00
91	453126080	20	\$5,000.00
92	453500151	8	\$2,000.00
93	453743455	6	\$1,500.00
94	459183116	43	\$10,750.00
95	460702472	28	\$7,000.00
96	466266145	10	\$2,500.00
97	467179837	61	\$15,250.00
98	479963914	74	\$18,500.00
99	481635596	250	\$62,500.00
100	495271571	33	\$8,250.00
101	498835540	33	\$8,250.00
102	501886271	19	\$4,750.00
103	507721949	10	\$2,500.00
104	513692985	12	\$3,000.00
105	517180011	8	\$2,000.00
106	518112250	174	\$43,500.00
107	519655739	66	\$16,500.00
108	523294820	36	\$9,000.00
109	524290308	45	\$11,250.00
110	546030484	20	\$5,000.00
111	550232015	5	\$1,250.00
112	552698272	18	\$4,500.00
113	555363117	66	\$16,500.00
114	560350378	250	\$62,500.00
115	562895820	78	\$19,500.00
116	566507961	2	\$500.00
117	574916271	4	\$1,000.00
118	576944386	56	\$14,000.00
119	577749301	37	\$9,250.00
120	579904260	96	\$24,000.00
121	587273741	69	\$17,250.00
122	587662825	10	\$2,500.00
123	588442498	37	\$9,250.00
124	588712193	81	\$20,250.00
125	605936637	73	\$18,250.00
126	608682388	53	\$13,250.00
127	609787573	8	\$2,000.00
128	610586178	2	\$500.00
129	611259904	1,276	\$319,000.00

	A	B	C
1	EXHIBIT A - 3M LAVA ULTIMATE ELIGIBLE FIXED AMOUNT CLAIMS		
2	CLAIMANT INFORMATION	CLAIM FORM DATA	
3	CONFIRMATION ID	FIXED AMOUNT DEBONDS	AWARD AMOUNT
130	613044339	12	\$3,000.00
131	614661122	2	\$500.00
132	614794958	39	\$9,750.00
133	614950157	1	\$250.00
134	618372112	20	\$5,000.00
135	619645222	432	\$108,000.00
136	623986112	12	\$3,000.00
137	629286610	412	\$103,000.00
138	632055481	20	\$5,000.00
139	634214704	162	\$40,500.00
140	640504933	87	\$21,750.00
141	644358055	6	\$1,500.00
142	644856119	3	\$750.00
143	654129205	73	\$18,250.00
144	663364752	13	\$3,250.00
145	663887443	76	\$19,000.00
146	667498051	6	\$1,500.00
147	669833235	42	\$10,500.00
148	670385717	5	\$1,250.00
149	672592457	98	\$24,500.00
150	673942762	8	\$2,000.00
151	682185043	70	\$17,500.00
152	684463248	24	\$6,000.00
153	684824204	71	\$17,750.00
154	687022553	4	\$1,000.00
155	691034900	42	\$10,500.00
156	693602442	22	\$5,500.00
157	695986250	50	\$12,500.00
158	697568646	13	\$3,250.00
159	699135326	368	\$92,000.00
160	699492182	34	\$8,500.00
161	701039345	3	\$750.00
162	702871881	505	\$126,250.00
163	705010901	35	\$8,750.00
164	708618240	2	\$500.00
165	710560190	128	\$32,000.00
166	715194802	36	\$9,000.00
167	716172086	131	\$32,750.00
168	722978080	8	\$2,000.00
169	724133796	7	\$1,750.00
170	724852369	146	\$36,500.00
171	725179914	37	\$9,250.00

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2	CLAIMANT INFORMATION	CLAIM FORM DATA	
3	CONFIRMATION ID	FIXED AMOUNT DEBONDS	AWARD AMOUNT
172	726263558	31	\$7,750.00
173	729544920	195	\$48,750.00
174	730558423	3	\$750.00
175	735374426	25	\$6,250.00
176	748252769	8	\$2,000.00
177	757266920	50	\$12,500.00
178	769450777	9	\$2,250.00
179	777077719	222	\$55,500.00
180	784627267	45	\$11,250.00
181	786899349	4	\$1,000.00
182	791802876	2	\$500.00
183	795006130	2	\$500.00
184	795679888	39	\$9,750.00
185	796342215	21	\$5,250.00
186	797138781	165	\$41,250.00
187	800581689	100	\$25,000.00
188	802755323	16	\$4,000.00
189	803485043	10	\$2,500.00
190	804901980	7	\$1,750.00
191	805016599	10	\$2,500.00
192	808530182	10	\$2,500.00
193	813138282	1	\$250.00
194	822352785	40	\$10,000.00
195	825900926	50	\$12,500.00
196	826636222	40	\$10,000.00
197	827638005	6	\$1,500.00
198	827832240	83	\$20,750.00
199	830348140	37	\$9,250.00
200	830718238	47	\$11,750.00
201	831491218	75	\$18,750.00
202	834764261	12	\$3,000.00
203	840297823	50	\$12,500.00
204	842140506	39	\$9,750.00
205	843272870	7	\$1,750.00
206	844025301	238	\$59,500.00
207	846374741	78	\$19,500.00
208	847764172	76	\$19,000.00
209	851953105	17	\$4,250.00
210	856340995	5	\$1,250.00
211	871289132	3	\$750.00
212	871318765	35	\$8,750.00
213	872786326	9	\$2,250.00

	A	B	C
1	EXHIBIT A - 3M LAVA ULTIMATE ELIGIBLE FIXED AMOUNT CLAIMS		
2	CLAIMANT INFORMATION	CLAIM FORM DATA	
3	CONFIRMATION ID	FIXED AMOUNT DEBONDS	AWARD AMOUNT
214	874712157	536	\$134,000.00
215	884772306	254	\$63,500.00
216	884952082	31	\$7,750.00
217	887336072	12	\$3,000.00
218	888776484	15	\$3,750.00
219	893298099	568	\$142,000.00
220	893784178	3	\$750.00
221	895885343	38	\$9,500.00
222	904539422	103	\$25,750.00
223	905459551	107	\$26,750.00
224	910660162	12	\$3,000.00
225	913918754	3	\$750.00
226	918146951	3	\$750.00
227	925077233	29	\$7,250.00
228	925781397	205	\$51,250.00
229	929665343	50	\$12,500.00
230	930042671	10	\$2,500.00
231	934187343	135	\$33,750.00
232	934245532	2	\$500.00
233	934962062	257	\$64,250.00
234	935130620	17	\$4,250.00
235	936346223	19	\$4,750.00
236	946796864	158	\$39,500.00
237	948619445	65	\$16,250.00
238	957109357	17	\$4,250.00
239	959452736	3	\$750.00
240	961359353	109	\$27,250.00
241	962854458	100	\$25,000.00
242	966081954	15	\$3,750.00
243	966113548	5	\$1,250.00
244	968423862	40	\$10,000.00
245	972376912	6	\$1,500.00
246	975036863	120	\$30,000.00
247	980307423	4	\$1,000.00
248	985846609	13	\$3,250.00
249	986178237	5	\$1,250.00
250	995428295	6	\$1,500.00
251	998133911	38	\$9,500.00
252	998962773	3	\$750.00
253	TOTAL	17,114	\$4,278,500.00

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Vikram Bhatia, D.D.S., et al., on behalf
of themselves and all others similarly
situated,

Plaintiffs,

v.

3M Company,

Defendant.

Case No. 0:16-cv-01304-DWF-DTS

**MEET AND CONFER
STATEMENT**

Pursuant to Local Rule 7.1(a), Plaintiffs certify that Co-Lead counsel for Plaintiffs met and conferred with counsel for Defendant 3M Company via email on June 8, 2020 and phone on June 9, 2020, regarding Plaintiffs' Motion for Early Disbursement of Settlement Funds to Some Claimants, Acceptance as Timely Certain Claims Filed After the Deadline, and for Extension of Supplemental Claims Period. Defendant does not oppose the filing of this motion.

Dated: June 16, 2020

/s/ Daniel C. Hedlund

Daniel C. Hedlund (#258337)

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Plaintiffs' Interim Co-Lead Counsel

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Vikram Bhatia, D.D.S., et al., on behalf
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Case No. 0:16-cv-01304-DWF-DTS

[PROPOSED] ORDER

Pursuant to Plaintiffs' Motion for Early Disbursement of Settlement Funds to Some Claimants, Acceptance as Timely Certain Claims Filed After the Deadline, and for Extension of Supplemental Claim Period (Doc. No. 161), filed in the above-referenced matter,

IT IS HEREBY ORDERED that:

1. Plaintiffs' Co-Lead Counsel and the Claims Administrator is authorized to disburse the payment of \$4,278,500.00 to pay approved Fixed Claim Class Members, as identified in Exhibit A to the Declaration of Justin L. Wind, from the Escrow Account at Associated Bank.

2. The persons and entities who filed claims after the expiration of the initial claim period and who were not included in the Order for Final Judgment dated September 11, 2019 (Dkt. 156) shall nonetheless be deemed timely and are identified in Exhibit 1 attached hereto.

3. The Supplemental Claim Period is extended by 12 weeks. This covers claims accrued between May 10, 2019, and on or before September 7, 2020. The Court hereby directs that the Claims Administrator mail the Supplemental Notice and Supplemental Claim Form to Class Members, in the same manner as the Notice, during the time period between September 7, 2020 and September 22, 2020.

IT IS SO ORDERED.

Dated: June ___, 2020

Donovan W. Frank
United States District Judge

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Vikram Bhatia, D.D.S., et al., on behalf
of themselves and all others similarly
situated,

Plaintiffs,

v.

3M Company,

Defendant.

Case No. 0:16-cv-01304-DWF-DTS

EXHIBIT 1

The claims of the persons and entities associated with the following Claim IDs
were filed after the initial claims deadline but shall nonetheless be deemed timely:

- | | | |
|--------------|---------------|---------------|
| 1. 141759080 | 6. 417461675 | 11. 760925669 |
| 2. 198328783 | 7. 430187865 | 12. 784627267 |
| 3. 248481681 | 8. 519400734 | 13. 874825623 |
| 4. 281160027 | 9. 682185043 | 14. 960709891 |
| 5. 342003585 | 10. 706827968 | 15. 998962773 |