

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MDL NO. 1430  
MASTER FILE NO. 01-CV-10861-RGS

IN RE: LUPRON® MARKETING AND  
SALES PRACTICES LITIGATION

THIRD REQUEST FOR PUBLIC COMMENT ON THE PROPOSED  
CY PRES DISTRIBUTION OF THE UNDISTRIBUTED PORTION  
OF THE LUPRON® SETTLEMENT FUND

May 25, 2010

STEARNS, D.J.

The court, for the reasons explained in its previous orders, has narrowed its choice for the *cy pres* distribution of the approximately \$11,400,000 surplus in the Class Settlement Fund to one of two proposals related to the research of cures for prostate cancer and other diseases and conditions treated by Lupron®. See Dkt # 537; # 542; # 549; and # 559. The court directs the Clerk to post on the District Court's web site<sup>1</sup> this Order together with the proposals submitted by the Dana-Farber/Harvard Cancer Center and Prostate Cancer Center (Dkt # 562), and the Loughlin, Garnick, Zietman, and Barry Proposal (Dkt # 541; # 554; and # 561). The court invites any comments from class members and the public on the merits of the two proposals. Comments should be directed to the attention of:

Marsha K. Zierk  
Law Clerk to the Honorable Richard G. Stearns  
United States District Court  
Suite 7130, One Courthouse Way  
Boston, MA 02210

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<sup>1</sup>[www.mad.uscourts.gov](http://www.mad.uscourts.gov)

All comments must be received by the court on or before Friday, June 28, 2010.

SO ORDERED.

/s/ Richard G. Stearns

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UNITED STATES DISTRICT JUDGE