

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
Southern Division

In re:	)	Master File No. CV 92-P-10000-S
	)	
SILICONE GEL BREAST IMPLANTS	)	This Document Relates to
PRODUCTS LIABILITY LITIGATION	)	the following case and to the
(MDL-926)	)	cases listed in the Appendix A and
	)	to any RSP claims of individuals
	)	listed in Appendix B
	)	
HEIDI LINDSEY, et al.,	)	
	)	
Plaintiffs;	)	
	)	
-vs.-	)	Case No. CV 94-P-11558-S
	)	
	)	
DOW CORNING CORP., et al.,	)	
	)	
Defendants;	)	

Opinion and Order The "Cunard" Motion Re Claims of A. Gill Dyer and H. Thomas Murphy

OPINION

In 1992-93 Rebecca A. Cunard, A. Gill Dyer, and H. Thomas Murphy, who were each then licensed to practice law in Louisiana, entered into an agreement to share responsibilities for professional services and expenses in handling breast-implant claims of Cunard's clients that might be referred by her to Dyer and Murphy. By May 1995 disputes had arisen between Cunard and Dyer/Murphy regarding the performance of those undertakings, the items asserted by Dyer/Murphy as expenses, and the division of amounts recovered through certain settlements with implant manufacturers. In January 1998 Dyer and Murphy filed an action (#446,642) against Cunard in the 19th Judicial District Court, Parish of East Baton Rouge, Louisiana, seeking to recover amounts that, under the joint representation agreement, allegedly should have been paid to them from settlement proceeds received by Cunard. In February 1998 Dyer was suspended by the Louisiana Supreme Court from the practice of law, and later that year Cunard formally terminated any further representation by Murphy of her clients.

In the meantime, Dyer and Murphy had become involved in a similar dispute with lawyers from

New Mexico who had also entered into joint representation agreements involving breast implant claims. That dispute had resulted in a series of orders by this court, including an order signed July 31, 1998, removing Dyer (who had been suspended from the practice of law) as attorney of record in all cases then before this court and an order signed November 13, 1998, denying claims for his fees and limiting claims for his expenses in those cases.

Now before this court is a motion filed April 21, 1999, by Cunard, on behalf of herself and 165 of her clients, requesting that a show cause order and/or injunction be directed to Dyer and Murphy. By a letter received April 23, 1999, defendants Baxter Healthcare Corp., Bristol-Myers Squibb Co., Medical Engineering Co., and Minnesota Mining and Manufacturing Co. have indicated that they join in Cunard's motion. On April 29, 1999, the court received a response from Dyer and Murphy in opposition to the motion, primarily on jurisdictional grounds.<sup>1</sup>

The Cunard motion, which includes various allegations against Dyer and Murphy, is based on this court's July 31 and November 13, 1998, orders. Exhibit 1 to the motion lists 150 cases in which Cunard's clients are plaintiffs.<sup>2</sup> The July 31st order had directed that Dyer be removed as attorney of record in all cases then pending in this court,<sup>3</sup> but recognizing that Dyer and his former partner, Murphy,<sup>4</sup> might nevertheless have enforceable claims for attorney services and expenses incurred prior to that date (or at least prior to Dyer's suspension from the practice of law) directed that by August 21, 1998, the court be provided with a list describing any such claims. After considering the August 21st response, the court in the November 13th order denied and dismissed all claims for services of Dyer with respect to plaintiffs in all cases subject to this court's jurisdiction and directed that any claims for Dyer's expenses would be limited to those which were detailed in the August 21st response and would be potentially effective only

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1. The thrust of their opposition is that most of these plaintiffs had opted out of the Lindsey class action. What they fail to note is that almost all have individual cases still subject to this court's jurisdiction. Only with respect to those few Cunard clients who do not have individual cases in this court is the question of whether they have opted out of Lindsey of jurisdictional significance.

2. This court has no record that two of those 150 cases *Sana Ellis v. Bristol-Myers*, LAM #3-98-01005, and *Beth Twilley*, unidentified case number have ever been transferred to this court. Exhibit 1 to the Cunard motion lists 15 additional movants shown as "no suit filed."

3. In the order Dyer was also removed as the designated representative before the Claim's Office of any person participating in the Revised Settlement Program ("RSP") in the Lindsey case (ALN #94-11558).

4. Based on later submissions to this court and on responses by Murphy to requests for admission filed in Louisiana state court proceedings, it appears that Murphy has not performed any legal services on behalf of any of the Cunard clients and has not incurred any expenses on their behalf other than through his prior partnership arrangement with Dyer.

upon filing a specific lien notice in any case in which such reimbursement was claimed.<sup>5</sup> In December 1998, a notice of appeal to the Eleventh Circuit Court of Appeals was filed with respect to the dismissal of the Dyer/Murphy claims for attorneys' services by Dyer. That appeal is still pending in the Eleventh Circuit.<sup>6</sup>

## I.

Cunard is requesting that this court enjoin Dyer from proceeding with an attempted intervention in two cases that had been transferred from the Middle District of Louisiana to this court under 28 U.S.C. ' 1407; namely, Margaret Barr v. Baxter Healthcare et al., LAM #94-389 (ALN #94-13063), and Joni Lalumundier v. Bristol-Myers Squibb et al., LAM #94-802 (ALN #94-13776). Both of these cases had, however, been remanded back to the transferor court in December 1997,<sup>7</sup> and accordingly this court's July 31 and November 13, 1998, orders did not apply to any claims by Dyer for fees or expenses in those cases.<sup>8</sup> It is for the transferor court not this court to rule on Dyer's motions to intervene and on Murphy's motions to set aside the settlement of those cases.

## II.

Cunard has requested that this court cancel the lien claims for expenses that have been filed in the Claims Office with respect to three of her clients who are participating as members of the Lindsey class in the RSP; namely, Janet Newburn, Madeline Hurst, and Kathleen Cockerham. In his August 21, 1998, response, Dyer had listed expenses incurred on behalf of these implant recipients, and notices of these liens were filed with the Claims Office. Through copies of checks attached as exhibits to her motion, Cunard has, however, demonstrated that in fact she had already reimbursed Dyer/Murphy for these amounts. On June 15, 1999, Murphy advised the Claims Office that the liens previously filed by him should be vacated. Accordingly, Cunard's motion is now essentially mooted with respect to these claims.

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5. The order contained comparable provisions with respect to liens asserted with respect to benefits payable under the RSP.

6. Another appeal, while somewhat comparable to, though independent of, the present controversy involving Louisiana cases, was taken by Dyer and Murphy from this court's May 1, 1998, order that had denied their claim in intervention seeking attorneys' fees and expenses in eleven cases transferred from the District of New Mexico. In February 1999 the Court of Appeals affirmed this court's denial of those requested interventions and this court's imposition of monetary sanctions on Dyer and Murphy.

7. Both plaintiffs had opted out of the RSP in 1996.

8. There was another case, *Blades v. Aesthetech*, LAM # 94-512 (ALN #94-13379), which also was remanded to the transferor court in December 1997. This court's 1998 orders relating to claims of Dyer and Murphy would, similarly, not affect fees and expenses in that case.

### III.

Cunard's motion asserts that Dyer participated in the division of the proceeds of a settlement in January 1999 of the case of her client Charlotte Braud (ALN #94-13618). Through efforts of the Ness, Motley firm to which the case had apparently been referred for settlement negotiations, Braud's case was apparently settled for \$40,000, with \$11,840 being withheld from the client for fees of Dyer and \$6,184.97 being withheld for Dyer's expenses. This \$18,024.97 was part of a larger check (which involved the closing of some additional cases) paid by Ness, Motley to Dyer, Murphy, and Certified Finance, Inc. on January 4, 1999. For Dyer and Murphy to receive payment for services of Dyer was contrary to the November 13, 1998, order. Likewise, for them to receive payment for Dyer's expenses was contrary to that order because no notice of a claim for expenses had been filed in ALN #94-13618 and because no listing of expenses with respect to Braud had been included in the August 21, 1998, filing. The court will direct Dyer and Murphy to show cause, in writing filed with the court by July 16, 1999, why they should not be required to pay to Braud the \$18,024.97.

### IV.

Cunard is requesting that this court exercising, under the unusual circumstances, its powers under the All Writs Statute (28 U.S.C. ' 1651) enjoin further prosecution by Dyer and Murphy of action #446,642, Dyer et al. v. Cunard, 19th Judicial District Court for the Parish of East Baton Rouge, Louisiana, for any relief sought on the basis of claims for fees or expenses except to the extent of contentions based on claims for reimbursement of expenses listed in the August 21, 1998, response to this court's earlier show cause order. This request is due to be granted. The injunction, however, will be limited to any such claims made with respect to plaintiffs in cases that were pending in this court in August 1998, (or with respect to benefits payable to them as participants in the RSP) and will be subject to being vacated to the extent appropriate should the Eleventh Circuit, in ruling on the appeal presently before that court, modify this court's order of November 13, 1998.

Appendix A to this order lists the plaintiffs named in Cunard's motion to which this injunction

applies, indicating the amount of expenses that had been included in the August 21st report.<sup>9</sup> Appendix B lists those expenses and Cunard clients with respect to whom, not being parties in cases then pending in this court, the injunction will apply only to the extent that benefits are payable to any of them under the Revised Settlement Program.

## V.

Cunard is also requesting that this court under the All Writs Statute enjoin Dyer and Murphy from prosecuting an action they filed on February 1, 1999, in the 22nd Judicial District Court for the Parish of St. Tammany, Louisiana, #99-10404-A, against Scott Reis, Walter J. Leger, Michael Mestayer, Bristol-Myers Squibb Co., Baxter Healthcare Corp., and Minnesota Mining & Manufacturing Co. Reis, Leger, and Mestayer are attorneys who have been acting on behalf of a large number of Louisiana breast-implant recipients including approximately 117 of Cunard's clients listed in the current motion in negotiating settlements with Bristol-Myers, Baxter, and 3M. The petition by Dyer and Murphy seeks to have all such settlement funds paid into the court's registry and then to enforce their claims for attorneys fees and expenses with respect to such settlements.

The same type of injunction as described in part IV of this opinion is due to be issued with respect to the prosecution by Dyer and Murphy of this action, enjoining them (unless and until the November 13, 1998, order is on appeal modified or vacated by the Eleventh Circuit) from seeking in that case any relief based on fees for services with respect to the plaintiffs listed in Appendix A to this order or based on any claim for expenses on behalf of such plaintiffs in excess of the amounts listed in Appendix A.

## ORDER

For the reasons expressed in the Opinion, Cunard's motion is granted to the extent that the court hereby orders:

1. The lien claims filed by Murphy with respect to amounts payable to Janet Newburn, Madeline Hurst, and Kathleen Cockerham as participants in the RSP are hereby vacated, and the Claims Officer is directed to pay such amounts jointly to Cunard and those claimants (without including Murphy as a co-payee). Any lien claims filed by Murphy with the Claims Office respecting RSP benefits payable to other

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9. The appendix also indicates which of these plaintiffs and clients had "probably" opted out of Revised Settlement Program. This information may be somewhat inaccurate because of the absence of social security numbers and addresses. Also, the names shown in the pleadings may not be the same as the names given to the Claims Office when registering or opting out of the RSP.

persons listed in Appendix A or Appendix B of this order are hereby vacated to the extent they exceed the amounts shown in such Appendices.

2, A. Gill Dyer and H. Thomas Murphy are hereby directed to show cause, in writing filed with the court by July 16, 1999, why they should not be required to pay to Charlotte Braud \$18,024.97 received by them and withheld from the proceeds of a settlement of Braud's case.

3. Under the provisions of the All Writs Statute, A. Gill Dyer and H. Thomas Murphy are hereby enjoined (unless and until this court's order of November 13, 1998, is reversed or modified by the Court of Appeals for the Eleventh Circuit) from prosecuting any request for relief in action #446,642, Dyer et al. v. Cunard, 19th Judicial District Court for the Parish of East Baton Rouge, Louisiana, or in action #99-10404-A, Dyer et al. v. Reis et al, 22nd Judicial District Court for the Parish of St. Tammany, Louisiana, that is based on a claim for attorneys' fees with respect to the persons listed as plaintiffs in Appendix A to this order or that, with respect to such persons, is based on a claim for reimbursement of expenses in excess of the amounts listed in Appendix A to this order.

Under the provisions of Rule 54(b) the court expressly determines that, with respect to the provisions of paragraph 1 of this order, there is no just reason for delay and expressly directs entry of final judgment with respect to paragraph 1. With respect to the other provisions of this order, there is no need for this court to make a determination under Rule 54(b) since the provisions of paragraph 2 are interlocutory, awaiting an appropriate response, and the provisions of paragraph 3 constitute an injunction that is immediately appealable.

Done this the 21st day of June, 1999.

/s/ Sam C. Pointer, Jr.  
Chief Judge

serve: A. Gill Dyer  
H. Thomas Murphy  
Rebecca A. Cunard  
Ness, Motley  
Claims Administrator  
Plaintiffs Liaison Counsel  
Defendants Liaison Counsel

## APPENDIX A

## Cases with respect to which injunction applies

Plaintiff RSP Optout*	Claimed Exp's	ALN Caseno	Transferor	Ct/No.	Prob.
Alexander, Bettye B	1,467.24	CV94-13070	LAM	3:94-00460	X
Ashbrooks (DeWitt), Betty	920.00	CV94-13962	LAM	3:94-00788	X
Argrave, Fay	5,130.36	CV94-13085	LAM	3:94-00475	X
Argrave, Vikki	1,436.10	CV94-13646	LAW	6:94-00900	X
Arnett, Janis	1,066.77	CV94-10783	LAM	3:93-00806	X
Aucoin, Rhonda M.	1,304.29	CV94-13372	LAM	3:94-00492	X
Baker, Martha P.	1,322.45	CV94-13061	LAM	3:94-00387	X
Bass, Patricia Jo	940.13	CV94-13378	LAM	3:94-00511	
Bass, Gail	527.63	CV94-13969	LAM	3:94-00986	
Bates, Gerry Ann	972.81	CV94-13080	LAM	3:94-00470	
Bellard, Judy	551.98	CV94-13101	LAM	3:94-00503	
Bellue, Rachel R. Long	932.29	CV94-12798	LAM	3:94-00361	X
Berthelot, Kimberly	935.87	CV94-13965	LAM	3:94-00981	X
Blackwell, Jackie K.	936.16	CV94-12819	LAM	3:94-00400	X
Blocker, Tammy & Charl	960.67	CV94-13097	LAM	3:94-00496	
Blum, Mary	527.63	CV94-14140	LAM	3:94-00987	X
Bonanno, Cherri	1,060.21	CV94-12805	LAM	3:94-00376	
Borer, Shirley	4,872.00	CV94-13066	LAM	3:94-00456	X
Bossley, Irene	1,494.90	CV94-13064	LAM	3:94-00390	X
Boucher, Ava Darlene	918.94	CV94-13077	LAM	3:94-00467	
Bourgeois, Renee	542.38	CV94-13966	LAM	3:94-00982	X
Bradley, Gladys Lee	0.00	CV94-12804	LAM	3:94-00375	X
Brassett, Amy Nesbitt	941.98	CV94-13789	LAM	3:94-00819	X
Braud, Charlotte	0.00	CV94-13618	LAW	3:94-00865	X
Brian, Patricia J.	1,398.37	CV94-13055	LAM	3:94-00371	X
Brown, Hollen S.	1,804.71	CV94-13094	LAM	3:94-00493	X
Bui, Angie Nguyet	3,297.47	CV94-12796	LAM	3:94-00358	
Calcagno, Betty	1,869.81	CV94-13083	LAM	3:94-00473	X
Cambre, Perry	1,319.39	CV94-12785	LAE	2:94-01250	X
Carbo, Sheryl	1,354.37	CV94-13107	LAM	3:94-00515	X
Chambers (Leger), Connie	952.61	CV94-13073	LAM	3:94-00463	X
Chew, Susan M.	1,424.28	CV94-13072	LAM	3:94-00462	X
Clouatre, Terri W.	1,320.58	CV94-13381	LAM	3:94-00517	X
Cockerham, Kathleen S.	1,342.47pd	CV94-13086	LAM	3:94-00476	
Davis, Renoma Marie	1,312.00	CV94-12806	LAM	3:94-00377	
Domingue, Linda	991.61	CV94-12821	LAM	3:94-00402	X
Dornier, Jacquelyn	4,760.50	CV94-11888	LAM	3:94-00174	X
Ducote, Elise A.	1,365.93	CV94-13383	LAM	3:94-00519	X
Ducote, Elise M.	1,369.27	CV94-13082	LAM	3:94-00472	X
Duhon, Sandra	1,315.99	CV94-13100	LAM	3:94-00502	X
Efferson, Cynthia	989.15	CV94-13084	LAM	3:94-00474	X
Elkins, Debra	954.08	CV94-13375	LAM	3:94-00499	X
Fauchaux (Faucheux), Sally Ami	1,307.75	CV94-12784			LAE
	2:94-01249				
Feireabend, Emmilee	1,516.64	CV94-13067	LAM	3:94-00457	
Ferrari, Melissa	1,295.00	CV94-13090	LAM	3:94-00480	X
Foster, Schwann	1,330.99	CV94-12802	LAM	3:94-00372	
Fulton, Faye	669.88	CV94-14141	LAM	3:94-00988	
Gagnon, Nancy L.	4,885.92	CV94-13376	LAM	3:94-00508	X

Gardner, Juanita	1,385.08	CV94-13098	LAM	3:94-00500	X
Giurintano, Shari	920.00	CV94-13967	LAM	3:94-00983	
Goetzman, Ann P.	1,373.11	CV94-13374	LAM	3:94-00498	X
Graves, Carolyn	945.38	CV94-13968	LAM	3:94-00985	
Gum, Clara	943.13	CV94-13787	LAM	3:94-00817	X
Gutierrez, Charlotte	1,368.88	CV94-13071	LAM	3:94-00461	X
Haase, Nancy M.	5,340.00	CV94-13087	LAM	3:94-00477	X
Hamilton, Josephine W.	1,302.63	CV94-12818	LAM	3:94-00398	
Hamilton, Phyllis	1,375.00	CV94-13790	LAW	1:94-01181	X
Hampton, Geraldine	984.70	CV94-13778	LAM	3:94-00804	
Hardgrave, Teri	950.00	CV94-13788	LAM	3:94-00818	X
Harris, Ladean	1,308.72	CV94-13089	LAM	3:94-00479	X
Haydel, Kelly	945.38	CV94-13773	LAM	3:94-00798	X
Haynes, Aimee	935.00	CV94-13775	LAM	3:94-00801	X
Heard, Corinne	1,357.81	CV94-13096	LAM	3:94-00495	X
Heidelberg, Louise	1,445.77	CV94-12811	LAM	3:94-00391	X
Henderson, Ginger	1,008.75	CV94-13103	LAM	3:94-00506	
Hewitt, Diane G.	2,690.59	CV94-12815	LAM	3:94-00395	X
Holden, Develyn	527.63	CV94-14142	LAM	3:94-00989	X
Hollingsworth, J(oyce)	993.86	CV94-13782	LAM	3:94-00812	X
Holloway, Marion Beth	929.29	CV94-13068	LAM	3:94-00458	
Hurst, Madeline C.	2,155.31pd	CV94-13104	LAM	3:94-00507	
Hymel, Olga O.	995.21	CV94-13102	LAM	3:94-00504	X
Jacob, Ina Claire	1,740.35	CV94-13054	LAM	3:94-00369	X
Johnson, Elizabeth	537.63	CV94-14138	LAE	2:94-02541	X
Kelly, Tracey	545.87	CV94-13964	LAM	3:94-00980	X
Kent, Norma Jean	1,337.45	CV94-13380	LAM	3:94-00513	X
Kinchen, Josie L.	1,332.50	CV94-13105	LAM	3:94-00510	X
Kiser, Mary E.	1,024.13	CV94-13075	LAM	3:94-00465	X
Knippers, Lynda	959.08	CV94-12823	LAM	3:94-00404	X
Koobs, Debra	1,306.47	CV94-13069	LAM	3:94-00459	X
Lambert, Billie Jo	1,413.29	CV94-12807	LAM	3:94-00379	X
Landry, Rebecca	938.01	CV94-13781	LAM	3:94-00807	X
Lane, Karen	1,952.40	CV93-11087	LAM	3:92-01115	X
Lane, Debra M.	1,373.43	CV94-13783	LAM	3:94-00813	
Lee, Sandra	1,347.45	CV94-12824	LAM	3:94-00405	X
Litty (Dixon), Gerti A.	4,991.29	CV94-13056	LAM	3:94-00373	X
Martin, Karen	1,315.27	CV94-13099	LAM	3:94-00501	X
Mash, Lisa Lang	942.63	CV94-13060	LAM	3:94-00383	X
McCants (Albert), Deanna	1,697.61	CV94-13058	LAM	3:94-00380	X
McCutcheon, Patsy K.	1,104.26	CV94-12808	LAM	3:94-00382	X
McDonald, Sue W.	936.22	CV94-12801	LAM	3:94-00370	
McDonald, Pamela	939.92	CV94-13777	LAM	3:94-00803	X
McGrew (Sharp), Gwendolyn	938.75	CV94-13770	LAM	3:94-00795	
McNamee, Geraldine G.	1,345.22	CV94-13088	LAM	3:94-00478	
Metz, Sylvia Marlene W.	1,407.64	CV94-13108	LAM	3:94-00516	
Midkiff, Nancy D.	1,326.38	CV94-13786	LAM	3:94-00816	X
Miller, Alfreda M.	1,479.51	CV94-13363	LAE	2:94-01251	X
Miller, Carol J.	618.71	CV94-13384	LAM	3:94-00521	X
Miller, Lillian	1,331.10	CV94-13963	LAM	3:94-00789	X
Miller, Vivian	1,740.75	CV94-12816	LAM	3:94-00396	X
Minton, Kelly Fontenot	1,352.20	CV94-12797	LAM	3:94-00360	X
Misenheimer, Nancy	1,429.36	CV94-13779	LAM	3:94-00805	X
Mixon, Carolyn	1,682.29	CV94-13772	LAM	3:94-00797	
Newburn, Janet O.	1,739.61pd	CV94-12812	LAM	3:94-00392	
Noble (Ledig), Marcella	556.50	CV94-13769	LAM	3:94-00791	



Nolan, Kathleen	1,396.06	CV94-14143	LAM	3:94-00996	X
Outlaw, Martha	2,079.58	CV93-11642	LAM	3:93-00259	X
Owen, Jean F.	1,305.38	CV94-13961	LAM	3:94-00787	X
Paugh (Fitch), Debra K.	1,695.91	CV94-12809	LAM	3:94-00384	
Penton, Donna K.	1,323.68	CV94-12800	LAM	3:94-00367	X
Pilie, Barbara J.	1,121.93	CV94-13615	LAM	3:94-00800	
Pitre, Rosa	1,685.98	CV94-13093	LAM	3:94-00491	X
Pourciau, Caren	932.75	CV94-13076	LAM	3:94-00466	X
Quick, Lovenia	1,555.11	CV94-13074	LAM	3:94-00464	X
Robert, Marie Elaine	895.00	CV94-13771	LAM	3:94-00796	X
Roberts, Becky	1,332.71	CV94-13109	LAM	3:94-00520	
Robin, Jennifer	1,339.88	CV94-13106	LAM	3:94-00514	X
Rodrigue, Charlene M.	1,411.17	CV94-12810	LAM	3:94-00385	X
Roe, Martha (Yolande)	942.01	CV94-13785	LAM	3:94-00815	
Rogers, Sharon S.	1,367.06	CV94-13053	LAM	3:94-00368	X
Salsbury, Belvas	992.63	CV94-12822	LAM	3:94-00403	X
Schopfer, Julie Beck	1,391.47	CV94-13065	LAM	3:94-00399	X
Sebastian, Rena Feld	1,393.28	CV94-13095	LAM	3:94-00494	
Setzer, Carol	1,448.91	CV94-13091	LAM	3:94-00481	X
Sevier, Cherie	1,302.63	CV94-13078	LAM	3:94-00468	X
Sheets, Jody	954.83	CV94-13780	LAM	3:94-00806	
Shirah, Nancy	539.38	CV94-14144	LAM	3:94-00997	
Strickland, Shirley	977.23	CV94-13062	LAM	3:94-00388	X
Sullivan, Susan D.	935.00	CV94-13092	LAM	3:94-00490	X
Talley, Myrtis P.	1,354.29	CV94-13057	LAM	3:94-00378	X
Tandberg, Gerilyn G.	930.38	CV94-13081	LAM	3:94-00471	
Taylor, Mary Jo	1,012.01	CV94-13079	LAM	3:94-00469	
Thacker, Virginia M.	1,035.00	CV94-12820	LAM	3:94-00401	X
Thompson, Margaret	1,469.29	CV94-13382	LAM	3:94-00518	X
Tregre, Deborah McBride	941.72	CV94-12814	LAM	3:94-00394	
Triche, Jeanie	927.63	CV94-13970	LAM	3:94-00992	X
Tunnard, Nona	1,413.28	CV94-13059	LAM	3:94-00381	X
Vandrell, Linda B.	1,346.22	CV94-12813	LAM	3:94-00393	X
Walker, Anita Lindsay	1,330.92	CV94-13377	LAM	3:94-00509	X
Watson, Dianne L.	959.50	CV94-12803	LAM	3:94-00374	X
White, Carolyn	1,330.38	CV94-13774	LAM	3:94-00799	X
Wilson, Sandra W.	1,346.63	CV94-12799	LAM	3:94-00362	
Wingate, Anne	920.00	CV94-13614	LAM	3:94-00790	X
Wogan, Cheryl	1,339.76	CV94-13373	LAM	3:94-00497	X
Womack, Marguerite	997.85	CV94-13784	LAM	3:94-00814	X
Zima, Jean M.	1,939.32	CV94-12817	LAM	3:94-00397	X

#### APPENDIX B

Cunard clients with respect to whom injunction affects only possible benefits under RSP

Other Cunard clients	Listed Exp's	Prob. RSP Optout*
Carruth, Annie S.	420.92	
Cockerham, Katie	0.00	
Cox, Sandra	808.72	
Edwards, Avis	407.63	X

Ellis, Sana	0.00	X
Eskan, Roxane	809.29	
Hebert, Joanne	830.58	X
Martin, Kathy	4,018.00	
Mary, Carline	407.63	X
McAllister, Rhonda	22.38	X
Minnick, Pamela	38.30	X
Pinell, Paula	432.63	
Prescott, Betty J.	1,215.40	X
Rayburn, Mary V.	400.00	X
Richardson, Nancy	825.00	X
Tomko, Carol Boyde	1,217.99	X
Twilley, Shari Beth	7.63	X

\* The RSP "outout" status is, because of lack of information regarding social security numbers, addresses, and possible variations in names, only an indication of probable status.