

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

GENERAL MOTORS LLC IGNITION SWITCH LITIGATION

14-MD-2543 (JMF)  
14-MC-2543 (JMF)

*This Document Relates To All Actions*


**ORDER**

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JESSE M. FURMAN, United States District Judge:

On September 26, 2017, the Court issued Order No. 135 establishing the terms and conditions of Layn R. Phillips' appointment as economic loss mediator in this matter. (Docket No. 4638). The Court inadvertently failed to attach Exhibit A, the normal and customary hourly rates of Mr. Phillips and personnel working under his direction. The Court hereby issues this Order with Exhibit A for Order No. 135 attached.

SO ORDERED.

Dated: September 28, 2017  
New York, New York

  
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JESSE M. FURMAN  
United States District Judge

# **EXHIBIT A**



## LAYN PHILLIPS

CEO / MEDIATOR / ARBITRATOR

Layn R. Phillips, founder of Phillips ADR Enterprises (PADRE), is both a former United States Attorney and a former United States District Judge.



Judge Phillips joined the United States Attorney's office in Los Angeles in 1980 as an Assistant United States Attorney, serving as a federal prosecutor in the Central District of California for four years. During the Reagan administration, he returned to his home state of Oklahoma, where, at age 31, he was nominated to serve as a United States Attorney.

At age 34, he again was nominated by President Reagan to serve as a United States District Judge in Oklahoma City. During his tenure on the bench, he presided over more than 140 federal trials in Oklahoma, New Mexico, and Texas. He also sat by designation on the United States Court of Appeals for the Tenth Circuit in Denver, Colorado, where he participated in numerous panel decisions and published multiple opinions.

In 1991, he resigned from the federal bench and joined Irell & Manella, where for 23 years he specialized in complex civil litigation, internal investigations,

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LAYN PHILLIPS  
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and alternative dispute resolution. For his years of commitment to public service, he was named as one of the 10 Outstanding Young Americans by the U.S. Junior Chamber of Commerce. As a result of his trial work, Judge Phillips was elected into the American College of Trial Lawyers. He has the dual honor of being named by LawDragon as one of the "Leading Judges in America" and as one of the "Leading Litigation Attorneys in America." In August 2016, Judge Phillips was named as one of the top seven mediators in the United States of America by Chambers and Partners (<http://www.chambersandpartners.com/12788/79/editorial/5/1>).

Judge Phillips received both his B.S. and J.D. from the University of Tulsa. He also completed two years of an LLM program at Georgetown University Law Center in the field of antitrust and economic regulation of industry.

Judge Phillips has also been inducted into the University of Tulsa Athletic Hall of Fame. He was a four-year letter winner in tennis, serving as the captain of the men's varsity team and winning the NCAA Missouri Valley Conference Championship at #1 singles.

Judge Phillips has a passion for travel and has visited every continent. He currently resides in Laguna Beach, California with his wife, Kathryn. He has three grown children Amanda, Parker and Graham and a granddaughter, Stella and a grandson, Owen Layn.



## ADR FEE SCHEDULE

Mediator/Arbitrator	Fees
Former United States District Judge Layn R. Phillips	Newport Beach Flat Fee Per Day <span style="float: right;">\$35,000*</span>
	Subsequent Day Newport Beach Flat Fee <span style="float: right;">\$30,000*</span>
	New York Flat Fee Per Day <span style="float: right;">\$48,000*</span>
	Subsequent Day New York Flat Fee <span style="float: right;">\$43,000*</span>
	Hourly Follow-Up Rate <span style="float: right;">\$ 1,500</span>
<p>Advance payment is required before any in-person mediation or arbitration sessions can begin.</p> <p>Cancel/Reschedule: Once mediation/arbitration session(s) are scheduled, if it is cancelled or rescheduled 30 days or more prior to the scheduled date, there is no cancellation charge, and 100% of the full fee will be refunded. However, if the session(s) are cancelled or rescheduled less than 30 days prior to the date, 100% of the full fee will be charged to the parties, unless Judge Phillips is able to reschedule a new ADR matter for the date(s) that was cancelled or changed.</p> <p>* The Flat Fee includes all travel time and expenses, if applicable, but does not include any follow up work after the initial scheduled mediation date(s). All telephonic and email follow-up work will be billed at the current hourly rate. All in-person follow-up mediation sessions will be billed at the applicable subsequent day rate. Weekend mediation sessions are different and will be determined on a case-by-case basis. Effective September 1, 2017</p>	