

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ANTONIA TOLBERT, *et al.*,)
)
Plaintiffs,)

vs.)

CIVIL ACTION NUMBER
2:01-cv-1407-UWC

MONSANTO COMPANY and PHARMACIA)
CORPORATION,)
)
Defendants.)

GERALDINE OLIVER, *et al.*)
)
Plaintiff,)

vs.)

CIVIL ACTION NUMBER
2:02-cv-0836-UWC

MONSANTO COMPANY and PHARMACIA)
CORPORATION,)
)
Defendants.)

**ORDER APPROVING MEDICAL CLINIC PROVIDER SELECTION AND
AGREEMENT FOR MEDICAL CLINIC GRANT**

By Court Order dated September 9, 2004, The West Anniston Medical Clinic, Inc., was created to administer the funding (the "Grant") and to monitor the operations of a Medical Clinic to be established in West Anniston, Calhoun County, Alabama (the "Clinic"), pursuant to the September 9, 2003, Final Order and Judgment of this Court. On February 10, 2005, the Claims Administrator submitted to the Court in camera (i) his Clinic provider selection report and recommendation concerning the selection of Clinic providers under the Grant; and (ii) a proposed Agreement for Medical Clinic Grant among The West Anniston Medical Clinic, Inc.,

Quality of Life Health Services, Inc., which would provide medical services and medicine to adult Claimants, and Dr. Angela M. Martin, who would provide medical services and medicine to minor Claimants. Under the proposed Agreement, Quality of Life and Dr. Martin (collectively, the “Grantees”) would coordinate their facilities, services and quality controls in administering the Grant and in operating the Clinic, and will collaborate with the Grantor in their provision of related education services and conducting related scientific research (the “Grant Agreement”).

After reviewing the Claims Administrator’s Report and Recommendation and the proposed Grant Agreement, and taking into account all the matters and things that are appropriate, it is hereby ORDERED as follows:

1. The Court approves the Claims Administrator’s Report and Recommendation and the Grant Agreement, with the Grantor, by and through its President, Edgar C. Gentle, III, being authorized, empowered, and directed to execute and deliver the Grant Agreement;
2. The Grantor is hereby authorized, empowered, and directed to engage an independent construction observer to monitor the capital improvements made by QOL and Dr. Martin to their medical clinics in connection with the Grant; and
3. Provided that The West Anniston Medical Clinic, Inc., its officers, directors and agents, act in accordance with the provisions of this Order and the Grant Agreement, they are hereby granted judicial immunity and are protected and immune from liability in connection with the operations of the Clinic and the administration of the Grant.

However, nothing in this Order shall confer any judicial immunity upon the Grantees.

Done this 14th day of February, 2005.

A handwritten signature in black ink, appearing to read "U.W. Clemon", written over a horizontal line.

U.W. Clemon
Chief United States District Judge