

EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>IN RE: BLOOD REAGENTS ANTITRUST LITIGATION</b>	)	<b>MDL Docket No. 09-2081</b>
<b>THIS DOCUMENT RELATES TO ALL ACTIONS</b>	)	<b>HON. JAN E. DUBOIS</b>

**PROPOSED ORDER GRANTING PRELIMINARY APPROVAL  
OF PROPOSED SETTLEMENT WITH IMMUCOR, INC.  
AND PROVIDING FOR NOTICE**

It is hereby ORDERED AND DECREED as follows:

1. The motion of Plaintiff class representatives F. Baragaño Pharmaceuticals, Inc., Community Medical Center Health Care System, Professional Resources Management of Crenshaw LLC d/b/a Crenshaw Community Hospital, Professional Resources Management, Inc. d/b/a Bullock County Hospital, Douglas County Hospital, Health Network Laboratories L.P., Larkin Community Hospital, Legacy Health System, Mary Hitchcock Memorial Hospital, Inc., Regional Medical Center Board d/b/a Northeast Alabama Regional Medical Center, Sacred Heart Hospital of the Hospital Sisters of the Third Order of St. Francis, St. Anthony's Memorial Hospital, of the Hospital Sisters of the Third Order of St. Francis, St. Elizabeth's Hospital of the Hospital Sisters of the Third Order of St. Francis, St. Francis Hospital, of the Hospital Sisters of the Third Order of St. Francis, St. John's Hospital of the Hospital Sisters of the Third Order of St. Francis, St. Joseph's Hospital, Breese, of the Hospital Sisters of the Third Order of St. Francis, St. Joseph's Hospital of the Hospital Sisters of the Third Order of St.

Francis (Chippewa Falls), St. Joseph's Hospital, of the Hospital Sisters of the Third Order of St. Francis (Highland), St. Mary's Hospital Medical Center of Green Bay, Inc., St. Mary's Hospital, Streator, of the Hospital Sisters of the Third Order of St. Francis, St. Mary's Hospital, Decatur, of the Hospital Sisters of the Third Order of St. Francis, St. Nicholas Hospital of the Hospital Sisters of the Third Order of St. Francis, St. Vincent Hospital of the Hospital Sisters of the Third Order of St. Francis, Schuylkill Medical Center - East Norwegian Street, Schuylkill Medical Center - South Jackson Street, and Warren General Hospital (collectively, "Plaintiffs") for preliminary approval of the proposed settlement with Defendant Immucor, Inc. (hereafter "Immucor") is hereby GRANTED.

2. Pursuant to Rule 23(a) and (b)(3) of the Federal Rules of Civil Procedure and for the purposes of the Settlement only, the following Settlement Class is preliminarily certified:

All individuals and entities in the United States who purchased Traditional Reagents directly from any of the Defendants, or their subsidiaries or affiliates, during the period from and including January 1, 2000 to and including **February 23, 2012**. Excluded from the Settlement Class are Defendants, subsidiaries, affiliates and Related Persons of Defendants and federal governmental entities.

The Settlement does not include purchases of Proprietary Reagents because Class Counsel, in conjunction with their economic expert, determined that there was no class-wide impact to class members from any alleged conspiracy to fix the prices of Proprietary Reagents, and thus, no settlement class concerning such purchases could be certified.

3. The District Court finds, preliminarily and for purposes of Settlement only, that the prerequisites for a class action under Rules 23(a) and (b)(3) of the Federal Rules of Civil Procedure have been satisfied in that: (a) the number of Settlement Class

Members is so numerous that joinder of all Settlement Class Members is impracticable; (b) there are questions of law and fact common to each Settlement Class Member; (c) the claims of the Plaintiffs are typical of the claims of the Settlement Class that they seek to represent; (d) the Plaintiffs will fairly and adequately represent the interests of the Settlement Class they seek to represent; (e) the questions of law and fact common to the Settlement Class Members predominate over any questions affecting only individual members of the Settlement Class; and (f) a class action is superior to other available methods for the fair and efficient adjudication of the controversy.

4. Plaintiffs F. Baragaño Pharmaceuticals, Inc., Community Medical Center Health Care System, Professional Resources Management of Crenshaw LLC d/b/a Crenshaw Community Hospital, Professional Resources Management, Inc. d/b/a Bullock County Hospital, Douglas County Hospital, Health Network Laboratories L.P., Larkin Community Hospital, Legacy Health System, Mary Hitchcock Memorial Hospital, Inc., Regional Medical Center Board d/b/a Northeast Alabama Regional Medical Center, Sacred Heart Hospital of the Hospital Sisters of the Third Order of St. Francis, St. Anthony's Memorial Hospital, of the Hospital Sisters of the Third Order of St. Francis, St. Elizabeth's Hospital of the Hospital Sisters of the Third Order of St. Francis, St. Francis Hospital, of the Hospital Sisters of the Third Order of St. Francis, St. John's Hospital of the Hospital Sisters of the Third Order of St. Francis, St. Joseph's Hospital, Breese, of the Hospital Sisters of the Third Order of St. Francis, St. Joseph's Hospital of the Hospital Sisters of the Third Order of St. Francis (Chippewa Falls), St. Joseph's Hospital, of the Hospital Sisters of the Third Order of St. Francis (Highland), St. Mary's Hospital Medical Center of Green Bay, Inc., St. Mary's Hospital, Streator, of the Hospital

Sisters of the Third Order of St. Francis, St. Mary's Hospital, Decatur, of the Hospital Sisters of the Third Order of St. Francis, St. Nicholas Hospital of the Hospital Sisters of the Third Order of St. Francis, St. Vincent Hospital of the Hospital Sisters of the Third Order of St. Francis, Schuylkill Medical Center - East Norwegian Street, Schuylkill Medical Center - South Jackson Street, and Warren General Hospital are preliminarily certified as the Class Representatives for the Settlement Class.

5. Pursuant to Rule 23(g) of the Federal Rules of Civil Procedure, preliminarily and for the purposes of Settlement only, Spector Roseman Kodroff & Willis, P.C. is appointed as Class Counsel for the Settlement Class. Class Counsel has the authority to enter into the Settlement Agreement on behalf of the Settlement Class and is authorized to act on behalf of the Settlement Class Members with respect to all acts or consents required by or that may be given pursuant to the Settlement Agreement or such other acts that are reasonably necessary to consummate the Settlement.

6. The Court also appoints Kurtzman Carson Consultants, LLC ("KCC") as the Claims Administrator to carry out those acts set forth in the Settlement Agreement, by agreement of Class Counsel and Immucor, or as set forth in any future order of the Court.

7. The Court finds that the proposed settlement with Immucor, as set forth in the Settlement Agreement, subject to final determination following a hearing after notice to the settlement class, is sufficiently fair, reasonable and adequate to authorize dissemination of notice to the Settlement Class.

8. The Court approves the form and content of the: (a) Notice of Proposed Settlement of Class Action, Settlement Hearing and Right to Appear ("Notice") in Class Action, attached hereto as Exhibit 1; and (b) Summary Notice of Proposed Settlement of

Class Action, Settlement Hearing and Right to Appear (“Summary Notice”), attached hereto as Exhibit 2.

9. The Court finds that the mailing and publication of the Notices in the manner set forth herein constitute the best notice practicable under the circumstances, is due and sufficient notice to all persons entitled thereto and complies fully with the requirements of Federal Rule of Civil Procedure 23 and the due process requirements of the Constitution of the United States.

10. The Notice shall be mailed by first class mail, postage prepaid, on or about **April 23, 2012** to all members of the Settlement Class whose names and addresses can be derived from the electronic transactional sales information produced by Defendants. The Notice also shall be provided to all persons who request it in response to the published Summary Notice provided for in Paragraph 8 herein.

11. Class Counsel are hereby directed to cause a Summary Notice to be published on one occasion in the **April 2012** edition of the *AABB News*, which is mailed to subscribers around March 15, 2012.

12. Class Counsel shall file with the Court and serve on the parties their motion for final approval of the Settlement Agreement and request for ongoing litigation expenses on or before **May 23, 2012**.

13. Class Counsel shall cause to be filed with the Clerk of this Court, and served upon counsel for Defendants, affidavits or declarations of the person under whose general direction the mailing of the Notice and the publication of Summary Notice were made, showing that mailing and publication were made in accordance with this Order on or before **May 23, 2012**.

14. All requests for exclusion from the Settlement Class must be postmarked so that they are **received** no later than **June 1, 2012** and must otherwise comply with the requirements set forth in the Notice.

15. Any member of the Settlement Class who objects to the settlement must do so in writing. The objection must include the caption of this case, be signed, and be **received** by the Court and Class Counsel no later than **June 1, 2012** and shall otherwise comply with the requirements set forth in the Notices.

16. Class Counsel shall file with the Court and serve on the parties their responses to any objection(s) to the settlement and/or the request for ongoing litigation expenses on or before **June 8, 2012**.

17. The Court will hold a hearing (the "Hearing") on or after **June 15, 2012** at the Court's convenience to determine the fairness, reasonableness, and adequacy of the proposed settlement with Immucor and whether to approve Class Counsel's request for ongoing litigation expenses. Any Settlement Class member who follows the procedure set forth in the Notices may appear and be heard at this hearing. The Hearing may be continued without further notice to the Settlement Class.

18. The Court approves the establishment of escrow account(s), as set forth in the Settlement Agreement, as "Qualified Settlement Fund(s)" pursuant to Treas. Reg. § 1.468B-1. The Court retains continuing jurisdiction over any issues regarding the formation or administration of the escrow account. Class Counsel and their designees are authorized to expend funds from the escrow account to pay Taxes, Tax Expenses and Notice and Administration Costs, as set forth in the Settlement Agreement.

19. The litigation against Immucor in this Class Action is hereby stayed,

except ongoing discovery shall continue as contemplated in Paragraph 60 of the Settlement Agreement.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

---

HONORABLE JAN E. DUBOIS  
DISTRICT COURT, EASTERN DISTRICT  
OF PENNSYLVANIA