

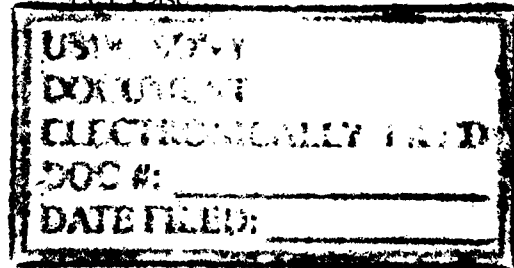
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re Medco Health Solutions, Inc., Pharmacy Benefits :
Management Litigation :

MDL No. 1508 (CS)

ECF Case

This document relates to:
No. 97 Civ. 9167 (CLB);
No. 98 Civ. 0827 (CLB);
No. 98 Civ. 4763 (CLB);
No. 98 Civ. 4067 (CLB); and
No. 01 Civ. 3805 (CLB)



ORDER Re: DISTRIBUTION OF CLASS FUNDS

WHEREAS, on May 25, 2004, this court entered an Order and Final Judgment approving the terms of the Amended Settlement Agreement dated July 31, 2003 (the "Stipulation") in the above-referenced class action; and

WHEREAS, this Court has directed the parties to consummate the terms of the Stipulation; and

WHEREAS, this Court has retained jurisdiction over this Action for the purpose of considering any further application or matter which may arise in connection with the administration and execution of the Settlement and the processing of Claims and the distribution of the Net Settlement Fund to claimants.

NOW, THEREFORE, upon reading and filing the Affidavit of Justin M. Honse of Complete Claim Solutions, LLC ("CCS"), the Claims Administrator, the Affidavit of Karin E.

Fisch of Abbey Spanier Rodd & Abrams, LLP, and upon all prior proceedings heretofore had herein and after due deliberation, it is hereby

ORDERED, that the administrative determinations of the Claims Administrator accepting the claims as directed on the Eligible Claims Summary submitted in part with and described in the Affidavit of Justin M. Honse are hereby approved, and said claims are hereby accepted; and it is further

ORDERED, that the administrative determinations of the Claims Administrator rejecting the claims as indicated on the list of Ineligible Claims submitted in part with and described in the Affidavit of Justin M. Honse are hereby approved, and said claims are hereby rejected; and it is further

ORDERED, that the sum of \$9,248.57 may be paid from the Settlement Fund for notice costs incurred in connection with the notice of the fee application of counsel for the self-funded plans; and it is further

ORDERED, that the balance of the Settlement Fund after deducting the payments previously allowed and set forth herein (the "Net Settlement Fund") shall be distributed to the eligible claimants listed on the Eligible Claims Summary submitted in part with the Affidavit of Justin M. Honse pursuant to the plan of allocation previously approved by the Court; and it is further

ORDERED, that the checks for distribution to the accepted claimants shall bear the notation "CASH PROMPTLY, VOID AND SUBJECT TO REDISTRIBUTION 90 DAYS AFTER ISSUE DATE." The Claims Administrator is authorized to take appropriate action to locate and/or contract any eligible claimant who has not cashed his, her or its check within said time; and it is further

ORDERED, that the determinations of counsel to establish a *de minimis* distribution amount of \$5 and to distribute the Net Settlement Fund in two phases are approved; and it is further

ORDERED, that, six months after the initial distribution of the Net Settlement Fund to eligible claimants and after appropriate efforts have been made to have the eligible claimants cash their checks, plaintiffs' counsel are authorized to distribute any funds remaining in the Net Settlement Fund by reason of returned or unpaid checks or otherwise, to eligible claimants who have cashed their checks; and it is further

ORDERED, that any funds remaining after the distribution and redistribution ordered herein may be donated to The Honorable Charles L. Brieant Fellowship Fund of the New York Bar Foundation, without further order of the Court; and it is further

ORDERED, that all persons involved in the review, verification, calculation, tabulation or any other aspect of the processing of the claims filed herein, or otherwise involved in the administration or taxation of the Settlement Fund or the Net Settlement Fund are released and discharged from any and all claims arising out of such involvement, and all Class Members, whether or not they are to receive payment from the Net Settlement Fund are barred from making any further claim against the Net Settlement Fund or the released persons beyond the amount allocated to them pursuant to this Order, and it is further

ORDERED, that the Claims Administrator is hereby authorized to discard paper or hard copies of the Identification Forms and supporting documents not less than one year after the second distribution of the Net Settlement Amount to the eligible claimants and electronic or magnetic data not less than three years after the second distribution of the Net Settlement Amount to the eligible claimants, and it is further

ORDERED, that this Court retain jurisdiction over any further application or matter which may arise in connection with the Settlement; and it is further

ORDERED, that no claim filed after April 20, 2010 be accepted for any reason whatsoever; and it is further

ORDERED that the Clerk shall terminate the pending motion (Doc. 206).

Dated: White Plains, New York
May 5, 2010

BY THE COURT:



Hon. Cathy Seibel
United States District Judge