



IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

IN RE: FLOAT-SINK LITIGATION

CIVIL ACTION NO. 11-C-5000000

**ORDER REQUIRING FUND STATEMENT FROM
ADMINISTRATOR OF QUALIFIED SETTLEMENT FUND**

On May 2, 2013, the Court entered an *Order Establishing Qualified Settlement Fund and Escrow Agent*. (Transaction ID 52112551) By separate order entered on May 31, 2013, the Court appointed A. Andrew MacQueen, III the Fund Administrator of the Float Sink Litigation Qualified Settlement Fund. *Order Appointing Administrator of Qualified Settlement Fund* (Transaction ID 52552044).

Pursuant to paragraph 14 of the *Order Establishing Qualified Settlement Fund and Escrow Agent*, "Upon request, the Fund Administrator will prepare and deliver Fund Statements ("Statements") to Plaintiffs' counsel or the Court. The Statements shall include, without limitation, a statement of receipts, investment earnings and disbursements. The Fund Administrator shall provide the Statement no later than ten (10) business days following the request."

Because the Float-Sink Litigation has been resolved and final orders of dismissal have been entered in almost all cases, the Court **FINDS** it appropriate to obtain a Statement from the Fund Administrator of the Qualified Settlement Fund, from inception of the Fund to the present. Accordingly, the Fund Administrator is **ORDERED** to file under seal and e-serve only private Lead Presiding Judge John A. Hutchison, Presiding Judge Alan D. Moats, Presiding Judge Derek C. Swope, Mass Litigation Manager Kimberley R. Fields, and counsel of record with a Statement, which shall include, without limitation, a statement of receipts, investment earnings and all

disbursements, from inception of the Fund to the present, within ten business days (10) from the entry of this Order. The Statement shall also contain the names and amounts of any plaintiffs whose settlement checks were returned or who did not cash their settlement checks, as well as any further information the Fund Administrator feels the Court should be made aware of regarding the settlement proceeds distributed in this litigation.

Plaintiffs' Liaison Counsel is **ORDERED** to immediately provide a copy of this Order to A. Andrew MacQueen, III. Plaintiffs' Liaison Counsel is further **ORDERED** to work with the Fund Administrator to electronically file under seal and e-serve only private the Statement prepared by the Fund Administrator via File & Serve*Xpress*.

It is so **ORDERED**.

ENTER: October 21, 2015.

/s/ John A. Hutchison
Lead Presiding Judge
Float-Sink Litigation