

**IN THE UNITED STATES OF AMERICA
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

**GARY COVINGTON, On
behalf of Himself and all Others
Similarly Situated**

PLAINTIFF

v.

No. 2:12-cv-123-DPM

**ULESS WALLACE, NEAL
BYRD, and HERMAN HALL,
In their official capacities**

DEFENDANTS

ORDER

Status report, *No* 293, noted and appreciated. Having \$172.00 left of a \$275,000 settlement fund shows excellent work in the distribution. The Court, however, failed to retain jurisdiction in the Judgment to address unclaimed settlement funds, or other issues, after 31 December 2015. *No* 247. In the circumstances, the Court construes the status report as Plaintiffs' Rule 60(b)(6) motion* to amend the Judgment and grants that motion for good cause. The Court reasserts and will retain jurisdiction until 31 December 2018 to address the unclaimed settlement proceeds. The Court's library fund cannot accept the money, though. Counsel should confer and jointly propose a charitable

*The Court directs the Clerk to update the docket.

entity closely aligned with the interests of the class members to get the \$172.00. Compare *In re BankAmerica Corp. Securities Litigation*, 775 F.3d 1060, 1063-66 (8th Cir. 2015). Joint report due by 26 October 2018.

So Ordered.

D.P. Marshall Jr.

D.P. Marshall Jr.
United States District Judge

9 October 2018
