

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

Case No. 1:10-cv-23235/HOEVELER

DAVID KARDONICK, JOHN DAVID and
MICHAEL CLEMINS, individually and on
behalf of all others similarly situated and the
general public,

Plaintiff,

v.

JPMORGAN CHASE & CO. and CHASE
BANK USA, N.A.

Defendants.

**LEAD PLAINTIFFS' APPLICATION FOR ORDER
AUTHORIZING DISTRIBUTION OF SETTLEMENT FUNDS**

Lead Plaintiffs David Kardonick, John David, and Michael Clemins (“Lead Plaintiffs”), by and through their attorneys, respectfully submit this Application for the entry of an Order in the above-captioned action (the “Action”): (1) authorizing distribution of the Net Settlement Fund to approved claimants; (2) approving the payment of fees and expenses to the Claims Administrator, Heffler, Radetich & Saitta LLP; and (3) approving

payment of remaining tax expenses.¹ A proposed form of order is attached hereto.

This Application is based on the accompanying supporting memorandum of law and the Declaration of Ronald A. Bertino, C.P.A. in Support of Lead Plaintiffs' Application for an Order Authorizing Distribution of Net Settlement Fund (the "Heffler Report").

DATED: November 30, 2012

/s/ Brian Ku
Ku & Mussman, P.A.
Brian Ku (FL Bar # 610461)
Louis Mussman (FL Bar # 597155)
M. Ryan Casey (LA Bar #30192)
12550 Biscayne Blvd., Suite 406
Miami, Florida 33181
Tel: (305) 891-1322
Fax: (305) 891-4512
louis@kumussman.com

Richard M. Golomb
Ruben Honik
Kenneth J. Grunfeld
GOLOMB & HONIK, P.C.
1515 Market Street, Suite 1100
Philadelphia, PA 19102
Tel: (215) 985-9177
kgrunfeld@golombhonik.com

Allen Carney
Randall K. Pulliam
Tiffany Wyatt Oldham
CARNEY WILLIAMS BATES
PULLIAM & BOWMAN LLC
11311 Arcade Drive, Suite 200
Little Rock, AR 72212

¹This Application incorporates by reference the definitions in the Stipulation of Settlement dated December 20, 2010 (the "Settlement") and all terms used herein shall have the same meanings as set forth in the Settlement.

Tel: (501) 312-8500
Fax: (501) 312-8505

Allan Kanner
Conlee S. Whiteley
KANNER & WHITELEY, L.L.C.
701 Camp Street
New Orleans, Louisiana 70130
Tel: (504) 524 -5777
c.whiteley@kanner-law.com
ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been filed and served on all counsel of record on this 30th day of November, 2012, via Court's CM/ECF Filing system.

/s/ Brian Ku
Brian Ku (FL Bar # 610461)