



Settlement Class Members in accordance with the Court-approved Plan of Allocation and Distribution Plan (as set forth at ECF No. 669);

WHEREAS, in accordance with the Distribution Order, the Claims Administrator conducted three distributions of the Net Settlement Proceeds to Settlement Class Members and has determined that a further re-distribution of the Net Settlement Proceeds to Settlement Class Members would not be cost effective or efficient; and

WHEREAS, Lead Plaintiffs, in accordance with the Distribution Order, now seek the Court's (i) approval of the recommendation that any further re-distribution is not cost effective or efficient; and (ii) approval of the contribution of the balance of the Net Settlement Proceeds to a nonsectarian, not-for-profit, 501(c)(3) organization independent of Lead Settlement Counsel;

NOW, THEREFORE, upon reviewing (1) the Declaration of Ed Barrero in Support of Lead Plaintiffs' Motion for Order Authorizing *Cy Pres* Distribution of Residual Settlement Proceeds, submitted on behalf of Epiq Class Action & Claims Solutions, Inc.; (2) Lead Plaintiffs' Motion for Order Authorizing *Cy Pres* Distribution of Residual Settlement Proceeds; and upon all prior proceedings heretofore and herein, and after due deliberation, it is hereby

ORDERED, that a further re-distribution of the balance of the Net Settlement Proceeds would not be cost effective or efficient; and it is further

ORDERED, that the balance of the Net Settlement Proceeds shall be contributed to the ~~Public Justice Foundation~~ *American Lung Association COVID-19 Action Initiative.* *AME*

SO ORDERED this 24<sup>th</sup> day of May, 2020.

  
The Honorable Lewis A. Kaplan  
United States District Judge