

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

ROBERT ROSS, Individually and On Behalf)	No. 2:05-cv-00819-EAS-TPK
of All Others Similarly Situated,)	(Consolidated)
))
Plaintiff,)	<u>CLASS ACTION</u>
))
vs.)	JUDGE EDMUND SARGUS, JR.
)	MAGISTRATE JUDGE TERENCE KEMP
ABERCROMBIE & FITCH COMPANY, et))
al.,))
))
Defendants.))
))
_____))

ORDER AUTHORIZING DONATION OF RESIDUAL SETTLEMENT FUNDS TO
LEGAL AID SOCIETY OF SOUTHWEST OHIO, LLC

WHEREAS, by its Final Judgment and Order of Dismissal with Prejudice, dated September 24, 2010, this Court approved the terms of the Stipulation of Settlement dated as of June 22, 2010 (the “Stipulation”), and by its Order Approving Plan of Allocation of Settlement Proceeds, dated September 24, 2010, this Court approved the Plan of Allocation for distributing the settlement proceeds to Class Members;¹ and

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

WHEREAS, the \$12,000,000 cash settlement proceeds were deposited by the Defendants into an interest-bearing escrow account established by Lead Counsel, on behalf of the Class (the “Settlement Fund”) and the Net Settlement Fund has been distributed from the Settlement Fund; and

WHEREAS, there currently remains \$10,487.40 in the Net Settlement Fund; and

WHEREAS, it is not economically feasible to reallocate this amount to Authorized Claimants; and

WHEREAS, paragraph 5.6 of the Stipulation provides that the donation of any amount remaining in the Net Settlement Fund following distribution to Authorized Claimants shall be donated to a non-profit organization approved by the Court; and

WHEREAS, Lead Counsel has requested that the residual funds be donated to Legal Aid Society of Southwest Ohio, LLC; and


WHEREAS, this Court has retained jurisdiction of this Litigation 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 distribution of the Net Settlement Fund; and

¹ All capitalized terms not otherwise defined herein have the same meanings set forth in the Stipulation.

NOW, THEREFORE, upon reading: (1) the Declaration of Jen Veitengruber in Support of Plaintiff's Motion for an Order Authorizing Donation of Residual Settlement Funds; (2) the Declaration of Laurie L. Largent, one of Lead Counsel for Lead Plaintiff and the Class; and (3) upon all prior proceedings heretofore had herein, and after due deliberation, it is hereby

ORDERED, that the residual balance of the Net Settlement Fund of \$10,487.40, plus any interest earned thereon, shall be donated to the Legal Aid Society of Southwest Ohio, LLC.

DATED: 8-5-2014



THE HONORABLE EDMUND SARGUS, JR.
UNITED STATES DISTRICT JUDGE