

**DONALD W. ABSHIRE, ET AL.**

**19<sup>TH</sup> JUDICIAL DISTRICT COURT**

**-versus-**

**CIV. ACTION NO. 377713, SEC. 26**

**THE STATE OF LOUISIANA, ET AL.**

**EAST BATON ROUGE PARISH,**

**CONSOLIDATED WITH**

**ARTHUR A. LEWIS, ET AL.**

**19<sup>TH</sup> JUDICIAL DISTRICT COURT**

**-versus-**

**CIV. ACTION NO. 412265, SEC. 26**

**THE STATE OF LOUISIANA, ET AL.**

**EAST BATON ROUGE PARISH,**

**ORDER APPROVING SETTLEMENT AND  
PLAN OF ALLOCATION OF SETTLEMENT PROCEEDS,  
DISMISSING ALL CLAIMS, AND FOR RELATED RELIEF**

Upon review and consideration of the Settlement Agreement, dated the 13<sup>th</sup> day of December, 2018, and the Motion by All Parties for Final Approval of Settlement With Incorporated Memorandum of Law, including appearance by Counsel for all Parties before this Court on April 29, 2019,

**IT IS HEREBY ORDERED, ADJUDGED and DECREED** as follows:

1. The December 13, 2018 Global Settlement Agreement and its terms, entered by and among the Plaintiff class, through class counsel, and the State of Louisiana by and through its Department of Insurance, Office of Risk Management, and Office of Financial Institutions (collectively, the "State Defendants"), Admiral Insurance Company, Westchester Fire Insurance Company, Lexington Insurance Company, National Union Fire Insurance Company of Pittsburgh, Pa., and American Excess Insurance Association and each of its members ("AEIA")<sup>1</sup> (collectively, the "Insurance Defendants") (the "State Defendants" and the "Insurance Defendants" shall be collectively referred to herein as the "Defendants"), is a fair, reasonable and adequate settlement as to Plaintiffs and the Plaintiff Class pursuant to La. C.C.P. 594(E), and is hereby finally approved.

<sup>1</sup> The AEIA members include and are limited to: (1) Travelers Casualty and Surety Company, formerly known as The Aetna Casualty and Surety Company; (2) American Home Assurance Company; (3) Continental Casualty Company; (4) Federal Insurance Company; (5) The Continental Insurance Company; (6) United States Fire Insurance Company; (7) General Star National Insurance Company; (8) The Home Insurance Company; (9) Insurance Company of North America; (10) Maryland Casualty Company; (11) NAC Reinsurance Company; (12) Royal Insurance Company of America; (13) The Travelers Indemnity Company; and (14) Zurich American Insurance Company, as successor in interest to Zurich Insurance Company, U.S. Branch.

2. All claims in the above-captioned action against the Defendants are hereby dismissed with prejudice, with each party to bear its own Court costs.

3. This Court's prior December 27, 2018 ruling that Plaintiffs' Plan of Allocation is fair and reasonable and is hereby affirmed.

4. Any attorneys' fees, expense reimbursement, or incentive awards to the Class representatives shall be paid solely from the Settlement Fund.

5. The notices mailed to Class members on March 8, 2019 and published in newspapers around the State according to the schedule approved by order dated December 21, 2018 satisfy Louisiana Code of Civil Procedure 594(A)(2) and due process.

6. Class Counsel shall file their motion for approval of a plan of administration on or before April 29, 2019.

7. This Court reserves exclusive jurisdiction over the Settlement and the Settlement Agreement, the administration and consummation of this Settlement, the award of attorneys' fees and reimbursement of costs and expenses, the payment of incentive awards to class representatives, and the administration of claims and distribution of funds in this Settlement.

SO ORDERED this 29<sup>th</sup> day of April, 2019.

  
Hon. Richard "Chip" Moore  
19<sup>th</sup> Judicial District Court

I hereby certify that on this day a notice of the above judgment was mailed by me, with sufficient postage affixed to:

Done and signed on April 30, 2019

Kathleen W. Spangler  
Deputy Clerk of Court

Waldard Lee West, Michael Vandenstam, Rachel Wade, Kaitlin Varnae, David P. Smith, Christopher Serog, Stacy E. Struger, Craig V. Sweeney, John Gregory Babin, Corey Dubre, Paul Palermo, Timothy Schafer, E. Wade Shors, Robert Siegel, Joseph Leroy Spelman, III, Remy Starns, E. Stuart Fender, David C. Raphael, Dan B. McKay, John Alden Meade, Michael Maden, Susan M. Guther, David Michael Atham, Rachel S. Kellogg, Joseph Guiche, Michael Charles Guffy, John Bates Dunlap III, Susan N. Eccles, Kerry L. Ewert, David C. Fawley, Stuart Des Roches, David Scott, Mary K. Cryar, Martha Y. Curtis, Tara E. Clement, Ashley G. Coker, Elizabeth A. Chuckerinos, Brian D. Brooks & David Bach.