

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

In Re: LIQUID ALUMINUM SULFATE
ANTITRUST LITIGATION

Civil Action No. 16-md-2687 (JLL) (JAD)

**ORDER APPROVING PLAN OF
DISTRIBUTION OF THE NET
SETTLEMENT FUND FOR THE GEO
DIRECT PURCHASER SETTLEMENT**

WHEREAS, this matter came on for hearing on November 14, 2018 (the “Fairness Hearing”) on Direct Purchaser Class Plaintiffs’ motion to determine whether the proposed plan of distribution for the net proceeds created by the Settlement between Direct Purchaser Class Plaintiffs and defendants GEO Specialty Chemicals Inc. (“GEO”), Kenneth A. Ghazey and Brian C. Steppig (collectively, the “GEO Settling Parties”) achieved in the above-captioned class action (“Plan of Distribution”) should be approved. The Court having considered all matters submitted to it at the Fairness Hearing and otherwise; and it appearing that notice of the Fairness Hearing substantially in the form approved by the Court was mailed to all Direct Purchaser Settlement Class Members who were readily and reasonably identified by or were previously identified by GEO; were identified by or were previously identified by Non-Settling Defendants; and were identified by Interim DPP Lead Counsel, and that a summary notice of the hearing substantially in the form approved by the Court was published in *The Municipal* pursuant to the specifications of the Court; and the Court having considered and determined the fairness and reasonableness of the proposed Plan of Distribution; and

WHEREAS, this Order incorporates by reference the definitions in the Settlement Agreement Between Direct Purchaser Class Plaintiffs and Defendants GEO Specialty Chemicals,

Inc., Kenneth A. Ghazey and Brian C. Steppig dated June 1, 2018 (DE No. 911-3) (“Settlement Agreement”), and all capitalized terms not otherwise defined herein shall have the same meanings as set forth in the Settlement Agreement.

IT IS THIS ___ day of November, 2018,

ORDERED as follows:

1. **Jurisdiction** – The Court has jurisdiction to enter this Order and over the subject matter of the Action, as well as personal jurisdiction over all of the Parties and each of the Direct Purchaser Settlement Class Members.

2. **Notice** – Notice of Direct Purchaser Class Plaintiffs’ motion for approval of the proposed Plan of Distribution was given to all Direct Purchaser Settlement Class Members who were readily and reasonably identified by or were previously identified by GEO; were identified by or were previously identified by Non-Settling Defendants; and were identified by Interim DPP Lead Counsel. The form and method of notifying the Direct Purchaser Settlement Class of the motion for approval of the proposed Plan of Distribution satisfied the requirements under Rule 23 of the Federal Rules of Civil Procedure and due process, and all other applicable law and rules; constituted the best notice practicable under the circumstances; and constituted due and sufficient notice to all persons and entities entitled thereto.

3. More than 10,000 copies of the Notice were mailed to potential Direct Purchaser Settlement Class Members and the proposed Plan of Distribution was posted on the website created for the Settlement (“Settlement Website”). There are no objections to the Plan of Distribution.

4. **Approval of Plan of Distribution** – The Court hereby finds and concludes that the formula for the calculation of the claims of Direct Purchaser Settlement Class Members

(“Claimants”) as set forth in the Plan of Distribution described in the Notice mailed to Direct Purchaser Settlement Class Members and posted on the Settlement Website provides a fair and reasonable basis upon which to allocate the net proceeds of the Settlement among Direct Purchaser Settlement Class Members with due consideration having been given to administrative convenience and necessity.

5. The Court hereby finds and concludes that the Plan of Distribution is, in all respects, fair and reasonable to the Direct Purchaser Settlement Class. Accordingly, the Court hereby approves the Plan of Distribution proposed by Direct Purchaser Class Plaintiffs and Interim DPP Lead Counsel.

6. **No Impact on Judgment** – Any appeal or any challenge affecting this Court’s approval regarding any plan of distribution of the net Settlement proceeds shall in no way disturb or affect the finality of the Final Approval or Final Judgment.

7. **Retention of Jurisdiction** – Exclusive jurisdiction is hereby retained over the Parties and the Direct Purchaser Settlement Class Members for all matters relating to this Action, including the administration, interpretation, effectuation, or enforcement of the Settlement Agreement and this Order.

JOSE L. LINARES, U.S.D.J.