

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT

RICHARD GOLDSTEIN, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	Civil Action No. 98-2330-BLS1
SAVINGS BANK LIFE INSURANCE	)	(Judge _____)
COMPANY OF MASSACHUSETTS, <i>et</i>	)	
<i>al.</i> ,	)	
	)	
Defendants.	)	
	)	

**[PROPOSED] ORDER CONCERNING FINAL DISTRIBUTION OF UNCLAIMED SETTLEMENT FUNDS**

Whereas this Court has considered The Parties’ Joint Request For Instructions From The Court Concerning Final Distribution Of Unclaimed Settlement Funds and related argument, the Declaration of the Court-appointed Settlement Administrator (Garden City Group, Inc.) dated June 14, 2011 (“Declaration”), the Stipulated Settlement Agreement dated December 29, 2009, and this Court’s Final Order, this Court orders further that the Settlement Administrator: [EITHER]

- Conduct a secondary distribution of unclaimed settlement funds to approximately 44,100 Main Class Members (those who received checks of \$26 or more as part of the initial distribution and will receive at least \$5 now) in the manner set forth in the Declaration, with any funds remaining to be provided as a *cy pres* distribution (in equal parts to the non-profit organizations designated by the Parties: Massachusetts Public Interest Research Group and the Massachusetts Affordable Housing Alliance), under the oversight of Plaintiffs’ Class Counsel and with prior notice to Defendant of any proposed communications to class members or *cy pres* recipients; OR

- Proceed directly to the *cy pres* distribution of the unclaimed Settlement Fund in equal parts to the two non-profit organizations proposed by the Parties (Massachusetts Public Interest Research Group and the Massachusetts Affordable Housing Alliance) under the oversight of Plaintiffs' Class Counsel and with prior notice to SBLI of any proposed communications to class members or *cy pres* recipients.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2011.

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Superior Court Judge

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above Joint Request for Instruction, the Declaration of Jennifer M. Keough and the Proposed Order were served upon counsel for the Massachusetts Division of Insurance, Thomas Barnico, at the Office of the Attorney General (by email by agreement) on this 21<sup>st</sup> of June, 2011.

  
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Jason B. Adkins, Esq.