

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

_____)	
IN RE: URETHANE ANTITRUST)	MDL No. 1616
LITIGATION)	No. 04-MD-1616-JWL-JPO
_____)	
This Document Relates To:)	
Polyether Polyol Cases)	
_____)	

**ORDER AWARDING ATTORNEYS’ FEES, REIMBURSEMENT OF LITIGATION
EXPENSES, AND INCENTIVE PAYMENTS**

Upon consideration of Class Counsel’s Petition For Award of Attorneys’ Fees, Reimbursement of Litigation Expenses, and Award of Incentive Payments to Class Representatives (Doc. #3250), and all papers submitted in support thereof or in opposition thereto, and after a July 27, 2016 hearing thereon, it is hereby ORDERED that the Petition is GRANTED. It is specifically ORDERED that:

1. The Notice provided to the Class of Class Counsel’s petition for award of attorneys; fees, reimbursement of litigation expenses, and award of incentive payments to class representatives complied with this Court’s April 27, 2016 Order (Dkt. No. 3243), meets the requirements of Rule 23 of the Federal Rules of Civil Procedure and due process, was the best notice practicable under the circumstances, and constitutes due and sufficient notice to all persons entitled thereto.

2. Co-Lead Counsel Fine, Kaplan and Black, R.P.C. and Cohen Milstein Sellers & Toll PLLC (“Co-Lead Counsel”) are awarded attorneys’ fees in the amount of one third (1/3) of the funds held in the Escrow Account (as defined by paragraph 12 of the Dow Settlement Agreement dated February 25, 2016), including interest earned thereon for the same time period

and at the same rate as that earned by the Settlement Fund until disbursed to Co-Lead Counsel, less the amount of expenses awarded pursuant to Paragraph 3 below. These fees shall be payable to Class Counsel as soon as practicable after entry of this Order.

3. Co-Lead Counsel are awarded reimbursement of litigation costs and expenses in the amount of \$1,545,872.58 which shall be paid from the funds held in the Escrow Account as defined by paragraph 12 of the Dow Settlement Agreement dated February 25, 2016. The reimbursement of costs and expenses from the Escrow Account shall be made as soon as practicable after entry of this Order.

4. The award of attorneys' fees shall be allocated among plaintiffs' counsel by agreement among Co-Lead Counsel in a manner that, in Co-Lead Counsel's good-faith judgment, reflects each plaintiffs' counsel's contribution to the institution, prosecution and resolution of the litigation against Defendants.

5. Class Representatives shall receive a total of \$500,000 in incentive awards to be apportioned as follows: Seegott Holdings, Inc. shall receive \$200,000; Quabaug Vibram Innovation LLC shall receive \$150,000; and Industrial Polymers, Inc. shall receive \$150,000. The incentive awards shall be paid from the Escrow Account defined by paragraph 12 of the Dow Settlement Agreement dated February 25, 2016.

6. The Court retains jurisdiction over matters that are the subject of this Order until after full disbursement of the Escrow Accounts, and/or as necessary to effectuate the terms of the Settlement Agreements relating to attorneys' fees and litigation costs and expenses.

ENTERED THIS 29th day of July, 2016.

s/ John W. Lungstrum
Honorable John W. Lungstrum
United States District Judge